

RESOLUTION NUMBER R- 292780

ADOPTED ON FEB 22 2000

RESOLUTION OF THE CITY OF SAN DIEGO AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO MAKE APPLICATION TO THE SECRETARY OF HEALTH AND HUMAN SERVICES FOR THE UNITED STATES OF AMERICA TO ACQUIRE CERTAIN REAL PROPERTY AT THE NAVAL TRAINING CENTER PURSUANT TO THE PROVISIONS OF SECTION 203(K)(1) OF THE FEDERAL PROPERTY AND ADMINISTRATIVE SERVICES ACT OF 1949

WHEREAS, certain real property owned by the United States, located in the County of Diego, State of California, has been declared surplus and is subject to assignment for disposal for public health purposes by the Secretary of Health and Human Services under the provisions of Section 203(k)(1) of the Federal Property and Administrative Services Act of 1949, as amended [the Act], and rules and regulations promulgated pursuant thereto, more particularly described as follows: (1) an approximately eight-acre parcel adjacent to the boat channel in the area currently known as Camp Nimitz; located directly across Lee Road in the vicinity of existing Building #59, bordered by Spruance Road to the north, Mitscher Road to the west, Kincaid Road to the east, and Buildings #58 and #60 to the south; and (2) an approximately 13,500 square foot parcel directly adjacent to the west boundary of the City's existing Pump Station No. 2; and


WHEREAS, The City of San Diego needs and can use the property for public health purposes in accordance with the requirements of the Act and rules and regulations promulgated thereunder, of which this Council is fully informed, including commitments regarding use and time such use shall commence; NOW, THEREFORE,

BE IT RESOLVED, that pursuant to Article I, section 1 of the Charter of The City of San Diego, the Council has legal authority, is willing, and is in a position financially and otherwise to assume immediate care and maintenance of the property, and that the City Manager, or designee, is hereby authorized, for and on behalf of The City of San Diego, to do and perform any and all acts and things which may be necessary to carry out this resolution, including the preparing, making, and filing of plans, applications, reports, and other documents; the execution, acceptance, delivery, and recordation of agreements, deeds, and other instruments pertaining to the transfer of said property; and the payment of any and all sums necessary on account of the purchase price thereof, including fees or costs incurred in connection with the transfer of said property for surveys, title searches, appraisals, recordation of instruments, or escrow costs, together with any payments by virtue of nonuse or deferral of use of the property.

BE IT FURTHER RESOLVED, that if the City of San Diego is unable to place the property into use with the time limitation indicated below (or determines that a deferral of use should occur), it is understood that the City of San Diego will pay to the Department of Health and Human Services for each month of nonuse beginning twelve months after the date of the deed, or thirty-six months where construction or major renovation is contemplated, the sum of 1/360 of the then market value for each month of nonuse.

BE IT FURTHER RESOLVED, that if the application is approved, a copy of the application and standard deed will be filed with the permanent minutes of the Council.

APPROVED: CASEY GWINN, City Attorney

By 
Frederick M. Ortlieb
Deputy City Attorney

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Or.Dept:MWWD
Aud.Cert:N/A
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