

RESOLUTION NUMBER R- 295906

ADOPTED ON JAN 08 2002

WHEREAS, the City of San Diego acquired a surplus parcel through a state relinquishment at the northeast corner of Freeway 15 and Scripps Poway Parkway. The parcel is improved with a paved City road that provides access to the open space area to the North; and

WHEREAS, Shea Homes is developing the area to the east of the City parcel. To better develop their parcel Shea Homes was allowed to fill, grade and slope a portion of the City parcel to support a level pad for development. Shea Homes was granted a right of entry permit to perform said work upon the condition that Shea Homes agree to purchase the portion of the City land affected by the grading; and

WHEREAS, the property to be purchased by Shea Homes contains 0.5944 acres, or 25,892 square feet. The fair market value of the property is \$240,000, as determined by the City Valuation Staff; and

WHEREAS, the City's access road will not be affected by the sale of the subject City property; and

WHEREAS, the sale of the subject City property is consistent with the public interest; and

WHEREAS, the City of San Diego and Shea Homes entered into a settlement agreement regarding the matter entitled Shea Homes Limited Partnership, et al. v. The City of San Diego, et al., San Diego County Superior Court Case GIC 767172; and

WHEREAS, Shea Homes' purchase of this parcel is part of that Settlement Agreement

and will serve to offset the purchase price of land to be acquired by the City of San Diego from Shea Homes, which transaction is part of Resolution No. R- 295906 ; NOW,

THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, as follows:

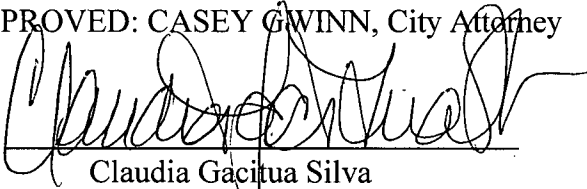
1. That a portion of said real property owned by the City, more particularly described in that settlement agreement referenced herein between the City of San Diego and Shea Homes, is now authorized to be sold to Shea Homes for the amount of \$240,000.

2. That the City Manager or his designee is authorized and empowered to execute, for and on behalf of The City of San Diego, a quitclaim deed, a copy of which is on file in the office of the City Clerk as Document No. RR- 295906, granting to Shea Homes a portion of Section 20, Township 14 South, Range 2 West, as more particularly described in the quitclaim deed.

3. That the City Clerk is authorized and directed to deliver the quitclaim deed and a certified copy of this resolution, attested by him under seal, to the Real Estate Assets Department for further handling.

APPROVED: CASEY GWINN, City Attorney

By



Claudia Gacitua Silva
Deputy City Attorney

CGS:cdk
12/05/01
Or.Dept:REA
Aud.Cert:
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