

RESOLUTION NUMBER R- 296435

ADOPTED ON APR 30 2002

WHEREAS, the Rancho Bernardo community, working in concert with the Park and Recreation Department, located 2.5 acres of City-owned land [the Land] south of and adjacent to Rancho Bernardo Community Park [the Park], to expand the recreational capabilities of the Park; and

WHEREAS, the Land is an asset of the Water Utility Fund; and

WHEREAS, the Land contains several water and sewer pipelines serving adjacent City Water Department and Metro Wastewater Department facilities which renders the Land undevelopable for any building purposes; and

WHEREAS, City staff has determined the fair market value of the Land to be \$15,000, with the use of the Land for park and recreation purposes subject to an easement set aside for the existing pipelines and the potential construction and maintenance of future public utilities and restriction of building on the Land; and

WHEREAS, any park development proposed for the Land will be subject to prior approval by the City Council; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that

1. The City Auditor and Comptroller is authorized to transfer \$15,000 from CIP 29-598.0, Rancho Bernardo Community Park Acquisition, California Park Bond Per Capita Fund No. 38129, to the Water Utility Fund [the Fund Transfer] upon receipt of the fully-executed grant agreement approved by City Council Resolution No. 296434 (City Attorney No. 2002-\_\_\_), for the General Fund acquisition of 2.5 acres for the expansion of Rancho Bernardo

Community Park.

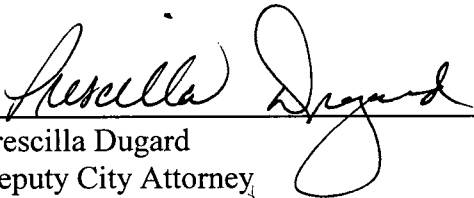
2. At the time of the Fund Transfer, City Manager authorized and directed to transfer the Land from the Water Utility Fund to the General Fund.

3. The Land shall be designated as City parkland managed by the Park and Recreation Department for expansion of Rancho Bernardo Community Park.

4. The City Council sets aside an easement in the Land for the existing pipelines and the construction and maintenance of future public utilities and restriction of building on the Land.

5. There shall be no development of the Land without the prior approval of the City Council.

APPROVED: CASEY GWINN, City Attorney

By   
Prescilla Dugard  
Deputy City Attorney

PD:cdk  
04/19/02  
Or.Dept:REA  
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