

RESOLUTION NUMBER R- 298512

ADOPTED ON OCT 20 2003

WHEREAS, on July 31, 1978, the City of San Diego adopted a Declaration of Restrictions for the six lots in the South San Diego Industrial Park, Unit 1, located at Beyer Boulevard and Del Sol Boulevard in Otay Mesa, for the purpose of guaranteeing the development of the property as a labor intensive manufacturing center to provide needed employment opportunities [the CC&Rs]; and

WHEREAS, of the six lots originally subject to the CC&Rs, the City retains ownership of Parcel 6 and uses it for a water retention basin; Parcel 3 is now owned and used by the Federal Government for a Post Office and is not subject to the CC&Rs; and Parcels 1, 2, 4, and 5 are privately owned; and

WHEREAS, the CC&Rs contain restrictions on the use of the property that are outmoded and have hindered development of the area such that Parcel 1 has been vacant for twenty-five years, Parcel 2 was developed using a variance, Parcel 4 is used for manufacturing, and Parcel 5 is developed with a 45,000 square foot building that has been vacant for more than three years; and

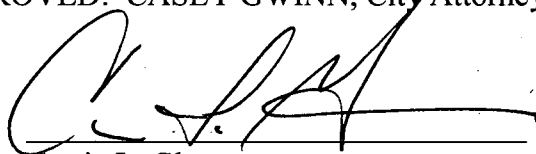
WHEREAS, the private owners have, as provided for in the CC&Rs, formed a Committee of property owners and have unanimously adopted a proposal to amend the CC&Rs to allow any use as permitted under the property's M1-B zoning, including non-fabricating uses, and request the City Council's approval of the amendment as specifically set forth in the

"Amendment to Declaration of Restrictions, South San Diego Industrial Park, Unit 1," on file in the office of the City Clerk as Document No. RR-298512; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that the City Manager is authorized to execute, for and on behalf of the City of San Diego, the "Amendment to Declaration of Restrictions, South San Diego Industrial Park, Unit 1," on file in the office of the City Clerk as Document No. RR- 298512

APPROVED: CASEY GWINN, City Attorney

By



Carrie L. Gleeson
Deputy City Attorney

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10/14/03
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Or.Dept:READ
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