

108
7-25-06

RESOLUTION NUMBER R- 301682

DATE OF FINAL PASSAGE AUG - 4 2006

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO
AUTHORIZING THE EXECUTION OF AN ALL-INCLUSIVE
AGREEMENT BETWEEN THE CITY AND CLIFFORD DOUGLAS
REGARDING A BOUNDARY DISPUTE OVER PROPERTY IN SAN
PASQUAL VALLEY.

WHEREAS, the City of San Diego Water Department owns a 6.1 acre parcel located northwest of Ramona, Assessor Parcel Numbers 244-081-20, 24, and 25 [the Property], resulting from a 1980 survey conducted by the Bureau of Land Management and private surveyors that shifted the Property from a lot owned by Clifford Douglas to the City; and

WHEREAS, Douglas has applied for a development permit with the County of San Diego, and any boundary line disputes must be resolved before the permit can be issued; and

WHEREAS, the Property is not dedicated parkland; and

WHEREAS, the Property has recently been appraised at \$2,500 to \$3,000 per acre, for a total value of approximately \$15,200 to \$18,300; and

WHEREAS, Douglas owns a portion of Assessor Parcel Number 244-081-19, totaling 1.9 acres [the Additional Consideration], which is adjacent to other City-owned property; and

WHEREAS, Douglas has offered \$20,000 and a Quitclaim Deed for the Additional Consideration, in exchange for a Quitclaim Deed for the Property [the Exchange]; and

WHEREAS, Douglas has agreed to waive and release any potential legal claim against the City to the Property; and

WHEREAS, the Real Estate Assets Department has determined that the Exchange provides the City with an offer for the Property at greater than fair market value, and provides the City with an additional parcel at no additional cost; and

WHEREAS, the proposed transaction on the terms and conditions described herein and as more specifically set forth in the "Purchase and Sale Agreement" on file in the Office of the City Clerk as Document No. RR- 301682 is fair and equitable and in the public interest; and

WHEREAS, all of the property affected by the Exchange pursuant to the Purchase and Sale Agreement are specifically described in the legal descriptions attached to the Purchase and Sale Agreement; NOW, THEREFORE,

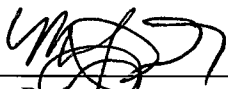
BE IT RESOLVED, by the Council of the City of San Diego, as follows:

1. That the Mayor or designee is authorized to execute, for and on behalf of the City of San Diego, a Purchase and Sale Agreement in substantially the form on file in the Office of the City Clerk as Document No. RR- 301682, and to take all actions necessary to complete the Exchange of property and the purchase and sale of the Property.

2. That the Auditor and Comptroller is authorized and directed, upon receipt of the \$20,000 payment from Douglas, to deposit \$20,000 to Water Capital Outlay Fund 30246.

BE IT FURTHER RESOLVED, that this activity is not a "project" and is therefore not subject to CEQA pursuant to State CEQA Guidelines Section 15060(c)(3).

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By 
Morton Park
Deputy City Attorney

MP:nda
06/30/06
Or.Dept:READ
R-2006-1149
MMS#3320

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of JUL 25 2006.

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved: 8-4-06
(date)


JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor

Passed by the Council of The City of San Diego on JUL 25 2006, by the following vote:

Council Members	Yeas	Nays	Not Present	Ineligible
Scott Peters	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kevin Faulconer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Toni Atkins	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Anthony Young	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Brian Maienschein	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Donna Frye	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jim Madaffer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ben Hueso	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage: AUG - 4 2006

AUTHENTICATED BY:

JERRY SANDERS
Mayor of The City of San Diego, California.

(Seal)

ELIZABETH S. MALAND
City Clerk of The City of San Diego, California.

By *Mary Cepeda*, Deputy

Office of the City Clerk, San Diego, California
Resolution Number <u>R-301682</u>