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RESOLUTION NUMBER R- 302964

DATE OF FINAL PASSAGE SEP 17 2007

AUTHORIZING THE GRANT OF AN EASEMENT IN A 1.331-ACRE, CITY-OWNED PARCEL TO THE SAN DIEGO ASSOCIATION OF GOVERNMENTS FOR THE CONSTRUCTION, OPERATION, AND MAINTENANCE OF A PUBLIC BUS RAPID TRANSIT CENTER IN THE COMMUNITY OF SABRE SPRINGS/PENASQUITOS.

WHEREAS, the City of San Diego owns a certain parcel of land [Parcel, APN 316-420-04] consisting of approximately 1.331 acres located in the southwest quadrant of the intersection of Ted Williams Parkway and Sabre Springs Parkway in the City and County of San Diego, California; and

WHEREAS, the City acquired the Parcel in 1991 through a land exchange for the purpose of creating and maintaining a public bus park-and-ride facility, which has been in continuous use by the California Department of Transportation since 1991; and

WHEREAS, the original source of funds for the land exchanged for the Parcel was the Sabre Springs Facilities Benefit Assessment; and

WHEREAS, the San Diego Association of Governments, a legislatively-created regional government agency [SANDAG], plans to construct, operate, and maintain a bus rapid transit center [Transit Center] for the City's Sabre Springs/Penasquitos community, consisting of eight bus bays, associated transit furnishings, and requisite park-and-ride facilities; and

WHEREAS, SANDAG has requested that a permanent, exclusive easement [Easement] in the Parcel be granted to SANDAG for the purpose of constructing, operating, and maintaining the Transit Center; and

WHEREAS, no easement fee will be charged for the Easement, since it will serve the original intent of acquiring the Parcel by assuring the construction, operation, and maintenance of the Transit Center, which will serve the transit needs of the Sabre Springs/Penasquitos community; and

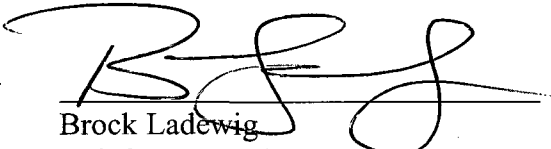
WHEREAS, the easement will terminate after six consecutive months of non-use; NOW, THEREFORE,

BE IT RESOLVED, by the Council of The City of San Diego [Council], that an easement in the City-owned, approximate 1.331-acre parcel of land [Parcel, APN 316-420-04] located in the southwest quadrant of the intersection of Ted Williams Parkway and Sabre Springs Parkway in the City and County of San Diego, California, and more particularly described in the Grant of Easement and Agreement [Grant], which is on file in the Office of the City Clerk as Document No. RR- 302964, is required for a public purpose; and

BE IT FURTHER RESOLVED, the Council deems the granting of an easement in the Parcel to the San Diego Association of Governments, a legislatively-created regional government agency [SANDAG], at no charge to be used solely for the construction, operation, and maintenance of a public bus rapid transit center for the City's Sabre Springs/Penasquitos community, planned to consist of eight bus bays, associated transit furnishings, and requisite park-and-ride facilities, to be fair and equitable and in the public interest; and

BE IT FURTHER RESOLVED, that the Mayor or his designee is authorized to execute and deliver, on behalf of The City of San Diego, the Grant to SANDAG.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By 
Brock Ladewig
Chief Deputy City Attorney

BL:bas
07/26/07
Or.Dept:READ
R-2008-106
MMS #5140

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of SEP 04 2007.

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved: 9.17.07
(date)


JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor