

RESOLUTION NUMBER R- 303725

DATE OF FINAL PASSAGE MAY 27 2008

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE
A PARK ACQUISITION AND DEVELOPMENT AGREEMENT
WITH SUNROAD CENTRUM PARTNERS, L.P. FOR A PARK
TO BE BUILT IN THE KEARNY MESA AREA OF SAN
DIEGO

WHEREAS, Title 5, § 26.1 of the Charter requires that The City of San Diego [City] assume the obligation and responsibility to provide park and recreation services for the citizens of San Diego; and

WHEREAS, Sunroad Centrum Partners, L.P. [Sunroad] is currently developing land in the Kearny Mesa area of San Diego which must include the dedication and improvement of public park space for the benefit of the public; and

WHEREAS, Sunroad and the City entered into a Second Amendment to a Development Agreement, which was approved by the City Council on November 12, 2002, that provides for the provision by Sunroad of a developed park site in a manner acceptable to the City, in satisfaction of the park and recreation requirements of its Development Agreement [Agreement]; and

WHEREAS, Sunroad will provide two contiguous acres of park space and 1.42 acres of connected linear park with recreation areas for a total of 3.42 acres to be developed in a manner acceptable to the City, at Sunroad's cost, and then will deed the park to the public, at no cost to the City; and

WHEREAS, Sunroad will provide the funding for the design and construction of the required public recreational facilities within the park space; and

WHEREAS, Sunroad will ensure that the attached linear park is protected, as set forth in the Agreement, by a system of covenants, in perpetuity, running with the land to legally obligate subsequent land owners; and

WHEREAS, the City wants to construct a 15,000 square-foot recreation building and swimming pool at another park site and Sunroad has agreed to fund a pro rata share of the cost of said improvements in the approximate amount of \$400,000; and

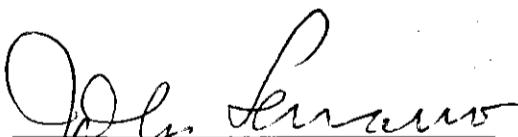
WHEREAS, the City is willing to accept Sunroad's performance under the Agreement in satisfaction of Sunroad's obligation to construct the described public park and improvements;

NOW THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that the Mayor or his designee is hereby authorized to execute and deliver for and on behalf of The City of San Diego, the Sunroad Centrum Park Development Agreement with the Sunroad Centrum Partners, L.P. for the purpose of providing a park to the residents in the area and the people of The City of San Diego under the terms and conditions set forth in the Agreement on file in the office of the City Clerk as Document No. RR- 303725.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By



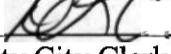
John H. Serrano
Deputy City Attorney

JHS:ar
05/05/2008
Or.Dept:READ
R-2008-1024
MMS# 6218

(R-2008-1024)

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of MAY 20 2008.

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved: 5-27-08
(date)


JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor