

RESOLUTION NUMBER R- 304082

DATE OF FINAL PASSAGE SEP 10 2008

A RESOLUTION AUTHORIZING THE MAYOR, OR HIS DESIGNEE, TO SELL PORTIONS OF 28<sup>TH</sup> STREET RIGHT-OF-WAY TO HELEN M. DERSHEM AND RUTH JOHNSON [BUYERS] AND AUTHORIZING THE MAYOR TO EXECUTE AND DELIVER A GRANT DEED, AND CONVEYING TO THE BUYERS FEE TITLE IN THE PROPERTY.

WHEREAS, the project is a public right-of-way vacation consisting of 4,305-square-foot segment of South 28<sup>th</sup> Street [Property] located between Logan Avenue and National Avenue; and

WHEREAS, the Buyers requested a vacation of one public right-of-way comprising of Lot 1 and the easterly 5 feet of Lot 2, Block 6; and

WHEREAS, the Buyers are the owners of Parcel 1 of Map. No. 4837 adjacent to 28<sup>th</sup> Street; and

WHEREAS, in connection with said vacation, The City of San Diego [City] reserved a utility easement for the benefit of Pacific Bell Telephone Co.; and

WHEREAS, the consideration to be received by the City for the Property will be the fair market value of \$100,000 as determined by an independent appraiser as of June 4, 2008;

WHEREAS, notwithstanding City Council Policy 700-10 regarding criteria for negotiated sales, the City Council finds it to be in the best interest of the City to authorize, ratify, and approve exclusive negotiations with the Buyers for the sale of the Property NOW,

THEREFORE,

BE IT RESOLVED, the exclusive negotiations between the City and the Buyers for the sale of portions of 28<sup>th</sup> Street are ratified, authorized and approved;


BE IT FURTHER RESOLVED, the Mayor, or his designee, is authorized to execute and deliver a grant deed in favor of the Buyers for the fair market value of \$100,000;

BE IT FURTHER RESOLVED, the Auditor and Comptroller is authorized and directed to accept the net cash consideration for the 28<sup>th</sup> Street sale and deposit said monies into the Capital Outlay Fund 302453, Account 78335, Job Order 923584;

BE IT FURTHER RESOLVED, the Council of the City of San Diego finds that this action is exempt from the California Environmental Quality Act [CEQA] pursuant to State CEQA Guidelines Section 15301.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By

  
\_\_\_\_\_  
Todd Bradley  
Deputy City Attorney

TB:bas  
08/26/08  
Or.Dept: READ  
R-2009-240  
MMS #6634

(R-2009-240)

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of SEP 08 2008.

ELIZABETH S. MALAND  
City Clerk

By Jana Richardson  
Deputy City Clerk

Approved: 9-10-08  
(date)

Jerry Sanders  
JERRY SANDERS, Mayor

Vetoed: \_\_\_\_\_  
(date)

\_\_\_\_\_  
JERRY SANDERS, Mayor

SAN DIEGO CITY  
08 SEP 11 11:43