

ORDINANCE NUMBER O-20000

DATE OF FINAL PASSAGE OCT 26 2010

AN ORDENANCE OF THE CITY OF SAN DIEGO
AUTHORIZING THE MAYOR TO EXECUTE A FIRST
AMENDMENT TO NEIGHBORHOOD PARK SITE (NP1)
PURCHASE AGREEMENT (GONZALES CANYON
NEIGHBORHOOD PARK).

WHEREAS, on September 8, 1998, the City of San Diego and Pardee Homes [Seller] entered into a purchase agreement for Project No. P-1, Gonzales Canyon Neighborhood Park (formerly Neighborhood Park One) [Project], which is on file in the Office of the City Clerk as Document No. OO-18579-1 [Purchase Agreement]; and

WHEREAS, under the Purchase Agreement, Seller is to sell the five-acre Gonzales Canyon Neighborhood Park site [Park Site] to the City, and City is to reimburse Seller for agreed upon site improvement costs; and

WHEREAS, on October 18, 2007, the San Diego City Council adopted the updated Pacific Highlands Ranch Public Facilities Financing Plan and Facilities Benefit Assessment for Fiscal Year 2008 [Financing Plan], which identifies the Project; and

WHEREAS, Seller is ready to sell the Park Site to the City; and

WHEREAS, Seller has completed certain improvements to the Park Site for which Seller seeks reimbursement; and

WHEREAS, the Purchase Agreement provided for a close of escrow date for the Park Site that has expired, and City and Seller desire to extend the close of escrow date to complete the purchase of the Park Site; and

WHEREAS, the First Amendment to Neighborhood Park Site (NP1) Purchase Agreement (Gonzales Canyon Neighborhood Park) [Amendment] with Seller is on file in the Office of the City Clerk as Document No. OO- **20000**, and sets forth amended terms and conditions for the purchase of the Park Site and reimbursement to Seller for certain site improvements to the Park Site; and

WHEREAS, an Environmental Impact Report, EIR NO. 96-7918, which included the Project, was prepared and considered for the Pacific Highlands Ranch Subarea III, and was certified on July 29, 1998 by Resolution No. R-290520; NOW, THEREFORE,

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


Section 1. That the Mayor be and hereby is authorized and empowered to execute, for and on behalf of the City, the Amendment for purchase of the Park Site in the amount of \$1,966,189.91, and for reimbursement for certain site improvements in an amount not to exceed \$1,027,000.00.

Section 2. That the Mayor is authorized to enter into an amendment to the Amendment to extend the Closing Date for an additional six (6) month period beyond the Closing Date identified in the Amendment if the Mayor determines such extension to be necessary.

Section 3. That a full reading of this ordinance is dispensed with prior to its final passage, a written or printed copy having been available to the City Council and the public a day prior to its final passage.

Section 4. This ordinance, having been introduced and adopted by a two-thirds vote of the members of the San Diego City Council pursuant to Section 99 of the Charter of the City of San Diego, shall take effect and be in force on the thirtieth day from and after its final passage.

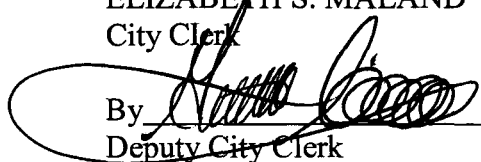
APPROVED: JAN I. GOLDSMITH, City Attorney

By 
Heidi K. Vonblum
Deputy City Attorney

HKV:js
07/23/10
Or.Dept:Fac.Financing
O-2011-15
Prolaw # 2010-00236

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of OCT 19 2010.

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved: 10-26-10
(date)


JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor