

RESOLUTION NUMBER R- 306401

DATE OF FINAL PASSAGE DEC 07 2010

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO APPROVING THE COOPERATION AGREEMENT BY AND BETWEEN THE REDEVELOPMENT AGENCY OF THE CITY OF SAN DIEGO AND THE CITY OF SAN DIEGO FOR THE CONVEYANCE AND MAINTENANCE OF MORLEY GREEN AND AUTHORIZING THE MAYOR OF THE CITY OF SAN DIEGO OR HIS DESIGNEE TO EXECUTE THE AGREEMENT AND TO ACCEPT AND RECORD THE GRANT DEED FROM THE AGENCY CONVEYING FEE TITLE TO THE PROPERTY UPON A FUTURE DATE CERTAIN.

WHEREAS, the Redevelopment Agency of the City of San Diego [Agency] owns and manages an approximately 1.25 acre passive park property, Assessor Parcel No. 431-320-22-00, known as Morley Green [Property] which has heretofore been used by the community for passive recreation, special events, and visual relief from urban development; and

WHEREAS, the Linda Vista community is currently considered to have a deficit of 12.94 acres of usable parkland according to General Plan standards; and

WHEREAS, on January 21, 2009, the City of San Diego [City] and the Agency entered into a Memorandum of Understanding for the Preservation of Morley Green [MOU]; and

WHEREAS, the Property is part of the Linda Vista Redevelopment Project Area [Project Area] which is currently scheduled to sunset on or about November 1, 2012; and

WHEREAS, the MOU sets forth that the Agency shall transfer fee title ownership of the Property to the City for population-based park and recreation purposes at no cost to the City prior to the sunset date of the Project Area; and

WHEREAS, upon transfer of fee title ownership of the Property prior to the sunset date of the Project Area, but in no event sooner than November 1, 2012, the City intends to process dedication of the Property for park purposes to be included in the community's population-based park inventory in accordance with City Charter section 55 and Council Policy 700-17; and

WHEREAS, in furtherance of the MOU, the City and the Agency desire to enter into a Cooperation Agreement to outline in detail their mutual agreement on terms and conditions in connection with the Agency's transfer of fee title to the Property by grant deed, and the City's future acceptance of fee title to the Property, for use as a public park [Cooperation Agreement]; and


WHEREAS, upon the sunset date of the Project Area, but no sooner than November 1, 2012, the City also desires to accept and record the grant deed by the Agency transferring fee title ownership of the Property to the City; NOW, THEREFORE,

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

1. That the Cooperation Agreement, enclosed as Attachment 3 to the Redevelopment Agency Report No. RA 10-41, a copy of which shall be maintained on file in the Office of the City Clerk as Document No. RR- 306401, is hereby approved.
2. That the Mayor or his designee is authorized execute the Cooperation Agreement on behalf of the City.
3. That upon the sunset date of the Project Area, but in no event sooner than November 1, 2012, the Mayor or his designee is authorized to take all actions necessary to facilitate the acceptance and recordation of that certain grant deed which conveys the

from the Agency to the City in accordance with the terms and conditions of the
Cooperation Agreement.

APPROVED: JAN I. GOLDSMITH, City Attorney

By 
Kenneth R. So
Deputy City Attorney

KRS:mm
11/02/2010
Or.Dept: Park & Rec.
R-2011-434
Prolaw# 2010-02156
Companion to: RA-2011-32

I hereby certify that the foregoing Resolution was passed by the Council of the City of San
Diego, at this meeting of NOV 30 2010.

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved: 12-7-10
(date)


JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor