

RESOLUTION NUMBER R- 307952

DATE OF FINAL PASSAGE JAN 02 2013

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
SAN DIEGO AMENDING THE DECLARATION OF THE
DEDICATION OF LAND APPROVED BY RESOLUTION
R-307902 BY REMOVING CERTAIN REAL PROPERTY AND
ADDING OTHER REAL PROPERTY OWNED IN FEE BY THE
CITY.

WHEREAS, San Diego Charter section 55 (Charter) provides that all real property owned in fee by the City may be dedicated in perpetuity by ordinance of the City Council or by statute of the State Legislature for park and recreation purposes; and

WHEREAS, Senate Bill No. 1169 (SB 1169) approved by Governor Jerry Brown on September 7, 2012, amends California Fish and Game Code section 2831 to provide that lands designated as open space lands in a document entitled "Declaration of the Dedication of Land" (Declaration) and approved by resolution of the City Council as of January 1, 2013, are dedicated for park and recreation purposes under the Charter; and

WHEREAS, SB 1169 further provides that such approval of the Declaration is to be by resolution of the City Council in the same manner in which the City Council processes approval of dedicated open space, reserving to the City Council the authority to grant easements for utility purposes in, under, and across dedicated property, if those easements and facilities to be located thereon do not significantly interfere with the park and recreational use of the property; and

WHEREAS, on November 27, 2012, the Council approved the Declaration by Resolution No. R-307902, and asked staff to analyze additional properties known as Fairbanks Ranch and Rose Creek; and

WHEREAS, Council Policy 700-17, Policy on Dedication and Designation of Park Lands, sets forth conditions that property owned in fee by the City must meet to be considered for dedication pursuant to the Charter; and

WHEREAS, in accordance with the Charter and Council Policy 700-17, portions of property known as Fairbanks Ranch and Rose Creek, owned in fee by the City, have been reviewed by staff and staff has determined that these properties do not meet the conditions for dedication; and

WHEREAS, it is not the intent of the City to negatively affect any pre-existing property rights of any private parties by the dedication of real property; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that the Declaration of the Dedication of Land, on file in the Office of the City Clerk as Document No. RR- 307902, is amended to add parcels with assessor parcel numbers 318-023-33, 318-023-34, 318-023-35, 318-023-36, 318-023-37, 318-023-38, 318-023-39, 318-023-40, 318-023-41, 318-023-42, 318-023-43, 318-023-44, 318-023-45, 318-023-46, 318-023-47, 318-023-48, 318-023-49, 318-023-50, 318-023-51, 318-023-52, 318-023-53, 318-023-54, and 318-023-55, in site code I507RS, which were inadvertently not included for the Canyon Hills Park property.

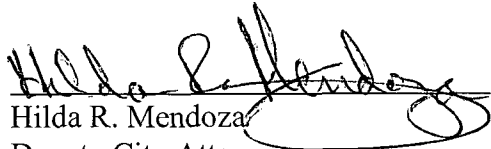
BE IT FURTHER RESOLVED, by the Council of the City of San Diego, that the Declaration of the Dedication of Land, on file in the Office of the City Clerk as Document No. RR-307902, is amended to remove parcels with assessor parcel numbers 302-261-12, 302-262-05, 302-262-06, 302-263-02, 302-263-03, 304-630-26, and 304-631-18, in site codes G302RU, G303RU, and G304RU.

BE IT FURTHER RESOLVED, by the Council of the City of San Diego, that it reserves the authority to grant easements for utility purposes in, under and across the dedicated property

so long as such easements and facilities to be located thereon do not significantly interfere with
the park and recreational use of the property.

APPROVED: JAN I. GOLDSMITH, City Attorney

By


Hilda R. Mendoza
Deputy City Attorney

HRM:als
12/13/12
12/17/12 Rev.Copy
Or.Dept: Park & Rec
Doc. No.: 488297

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of ~~DEC 17 2012~~

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved: 1/2/13
(date)


BOB FILNER, Mayor

Vetoed: _____
(date)

BOB FILNER, Mayor