

Item - 104
subitem - A 7/28/15

(R-2016-35)

RESOLUTION NUMBER R- 309880

DATE OF FINAL PASSAGE AUG 03 2015

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO AUTHORIZING THE SALE OF CERTAIN SURPLUS CITY-OWNED REAL PROPERTY ALONG DRAPER AVENUE IN LA JOLLA, TO EHOF LA JOLLA, LLC.

WHEREAS, the City of San Diego (City) owns certain real property, identified as Assessor Parcel Number 350-432-05, located along Draper Avenue between Kline and Silver Streets. The property is improved with public tennis courts. A small portion on the southern part of the property, consisting of .074 acres (Property), is irregular in shape, has limited access, and is not part of the tennis court improvements. An underground public storm drain is located on the Property; and

WHEREAS, the adjacent property owner, EHOF La Jolla, LLC, a Delaware limited liability company, has approached the City to acquire the Property, for purposes of landscaping related to a contemplated adjacent development. The landscaping is not required for the development and would only serve as an aesthetic improvement to complement the development; and

WHEREAS, given its small size and irregular shape, its limited access, its use for the underground storm drain, and the uses and development around it, the Property has no reasonable potential use or value to anyone other than EHOF La Jolla, LLC; and

WHEREAS, the Property is not needed nor is it foreseen to be needed by any City department for any public purpose or benefit, and the Property currently is vacant except for the underground storm drain; and

WHEREAS, City staff has negotiated a Purchase and Sale Agreement with EHOFLa Jolla, LLC for the Property. Among other things, the Agreement reserves to the City a public utility and storm drain easement in, over, and through the Property; and

WHEREAS, the value of the subject real estate is Seven Thousand Five Hundred Dollars (\$7,500); NOW, THEREFORE,

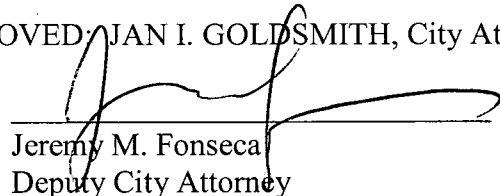
BE IT RESOLVED, by the City Council of the City of San Diego, that the Mayor, or his designee, is authorized and directed to execute that certain Real Estate Purchase and Sale Agreement on file with the Office of the City Clerk as Document No. PL 309880, to sell as directly negotiated to EHOFLa Jolla, LLC, a Delaware limited liability company, the certain .074 acres of surplus real property along Draper Avenue between Kline and Silver Streets for the price of Seven Thousand Five Hundred Dollars (\$7,500); and

BE IT FURTHER RESOLVED, that the Mayor, or his designee, is authorized to execute and deliver all such agreements and all other instruments to effect and complete the transaction contemplated by this Resolution; and

BE IT FURTHER RESOLVED, that the Chief Financial Officer is authorized to accept and deposit the proceeds of the sale of the subject property, net of costs related to the sale, into the Capital Outlay Fund 400002.

APPROVED: JAN I. GOLDSMITH, City Attorney

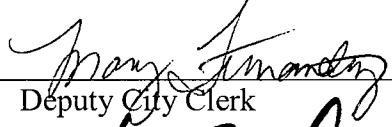
By


Jeremy M. Fonseca
Deputy City Attorney

JMF: meb
July 10, 2015
Or.Dept: Real Estate Assets
Doc. No.: 1060393

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of JUL 28 2015.

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved: 8/3/15
(date)


KEVIN L. FAULCONER, Mayor

Vetoed: _____
(date)

KEVIN L. FAULCONER, Mayor

Passed by the Council of The City of San Diego on JUL 28 2015, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Sherr Lightner	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lorie Zapf	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Todd Gloria	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Myrtle Cole	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mark Kersey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Cate	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Scott Sherman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
David Alvarez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marti Emerald	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage AUG 03 2015

(Please note: When a resolution is approved by the Mayor, the date of final passage is the date the approved resolution was returned to the Office of the City Clerk.)

AUTHENTICATED BY:

KEVIN L. FAULCONER
Mayor of The City of San Diego, California.

ELIZABETH S. MALAND
City Clerk of The City of San Diego, California.

(Seal)

By *Mary Fernandez*, Deputy

Office of the City Clerk, San Diego, California

Resolution Number R- **309880**