

RESOLUTION NUMBER R- 310092DATE OF FINAL PASSAGE NOV 19 2015

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO APPROVING THE ACQUISITION OF AN EASEMENT FOR THE CONSTRUCTION, OPERATION, AND MAINTENANCE OF PUBLIC WATER MAINS AND RELATED UTILITIES OVER PORTIONS OF ASSESSOR PARCEL NUMBER 369-020-08, IN THE KEARNY MESA AREA, ALONG PORTIONS OF KEARNY VILLA ROAD AND KEARNY MESA BOULEVARD, AUTHORIZING THE MAYOR TO EXECUTE THE EASEMENT DEED AND AGREEMENT AND THE RELATED ESCROW CLOSING INSTRUCTIONS, AND AUTHORIZING THE CHIEF FINANCIAL OFFICER TO EXPEND AN AMOUNT NOT TO EXCEED \$22,000 FOR THE ACQUISITION OF THE EASEMENT AND RELATED ESCROW COSTS.

WHEREAS, the Water Group 942 project involves the installation and realignment of new 12 and 16-inch water main pipes; and

WHEREAS, the installation and realignment of the new water main pipes is necessary because the existing pipes are deteriorating and the existing alignment runs close to buildings and fuel tanks; and

WHEREAS, the acquisition of an easement is necessary for the installation and realignment of the new water main pipes; and

WHEREAS, City staff has negotiated an Easement Deed and Agreement and related Escrow Closing Instructions with BACM-2006-5 Kearny Office Limited Partnership, current owner of the affected property, for the acquisition of the easement; NOW, THEREFORE,

BE IT RESOLVED, by the City Council of the City of San Diego, that it approves the acquisition of an easement for the construction, operation, and maintenance of public water

mains and related utilities over portions of Assessor Parcel Number 369-020-08, in the Kearny Mesa area, along portions of Kearny Villa Road and Kearny Mesa Boulevard.

BE IT FURTHER RESOLVED, that the Mayor, or designee, is authorized to execute and deliver the Easement Deed and Agreement and related Escrow Closing Instructions between the City and BACM-2006-5 Kearny Office Limited Partnership, on file in the Office of the City Clerk as Document No. RR- 310092⁻¹, and Document No. RR- 310092⁻², respectively.

BE IT FURTHER RESOLVED, that the Mayor, or designee, is authorized to execute any and all documents that are necessary and appropriate to effectuate these transactions and implement these approvals in a form approved by the Office of the City Attorney.

BE IT FURTHER RESOLVED, that the Chief Financial Officer is authorized to expend an amount not to exceed \$22,000.00 from CIP A-KB.00003, Water Main Replacements, Fund 700010 (Water Utility CIP), for the easement acquisition and related escrow costs for the Water Group 942 project.

APPROVED: JAN I. GOLDSMITH, City Attorney

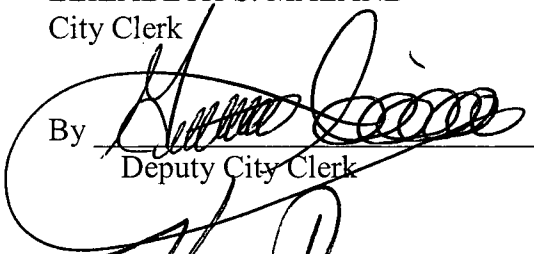
By


Debra J. Bevier
Deputy City Attorney

EAC:mcm
November 3, 2015
Or.Dept: Real Estate Assets Department
Doc. No.: 1163292

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of NOV 17 2015

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved: _____

11/19/15
(date)


KEVIN L. FAULCONER, Mayor

Vetoed: _____

(date)

KEVIN L. FAULCONER, Mayor

Passed by the Council of The City of San Diego on NOV 17 2015, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Sherrri Lightner	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lorie Zapf	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 NOV 19 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 , Deputy

Office of the City Clerk, San Diego, California

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