

RESOLUTION NUMBER R- 310358

DATE OF FINAL PASSAGE APR 28 2016

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO AUTHORIZING THE MAYOR OR HIS DESIGNEE TO MARKET FOR SALE CERTAIN EXCESS CITY PROPERTY LOCATED AT 540 W. LAUREL AND 2513/2515 UNION STREET; AND AUTHORIZING THE PAYMENT OF REAL ESTATE BROKERAGE COMMISSIONS RELATED TO THE SALE.

WHEREAS, the City of San Diego (City) is the owner of that certain .68 acres of improved real property located at the 540 W. Laurel Street and 2513/2515 Union Street, identified as Assessor's Parcel Number 533-072-18 (Property), which is valued at Two-Million Four-Hundred Seventy-Thousand Dollars (\$2,470,000.00) as disclosed by an appraisal made by a qualified real estate appraiser within the past six (6) months; and

WHEREAS, the City has no current or foreseeable operational need for the Property and has determined the Property to be in excess of the City's needs; and

WHEREAS, if Council authorizes the Mayor to sell the Property, and an offer to purchase the Property that meets the above criteria is received, the Mayor or his designee will be authorized to accept the offer, on terms and conditions that the Mayor or his designee determine to be reasonable and in the best interests of the City, and to execute and deliver on behalf of the City, a purchase and sale agreement, grant deed, and all other agreements and documents necessary to complete the sale transaction and transfer the property to the buyer; and

WHEREAS, one of the residences on the Property is a potentially historic resource, the Mayor or his designee, shall require as a term and condition of the sale of the property, that the

purchaser obtain a historical research report within twelve (12) months of purchasing the property and provide a copy to the City; and

WHEREAS, the City can only begin analyzing the potential impacts of a particular proposed sale on the existing physical conditions of the property once an actual offer has been received, and no final approval or acceptance of a sale will occur until an environmental review has been completed in accordance with provisions of California Environmental Quality Act section 15004 and the City's Land Development Code; and

WHEREAS, City staff has determined it is in the best interests of the City to retain the services of a real estate broker to represent the City and facilitate the sale of the Property through negotiations on the open market in order to achieve the highest sale price for the City, and that the City should pay real estate broker's commissions, in an amount not to exceed four percent (4%) of the sale price, all in compliance with San Diego Municipal Code section 22.0905; and

WHEREAS, the Property was purchased using Gas Tax Funds for the authorized purposes of such funds, but the Property is no longer required for such purposes; NOW, THEREFORE

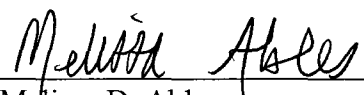
BE IT RESOLVED, by the City Council of the City of San Diego, that the Mayor or his designee, is authorized to market for sale that certain .68 acres of improved real property located at 540 W. Laurel Street and 2513/2515 Union Street, identified as Assessor's Parcel Number 533-072-18, valued at Two-Million Four-Hundred Seventy-Thousand Dollars (\$2,470,000.00).

BE IT FURTHER RESOLVED, that the Mayor, or his designee, is directed to return to Council for authorization and approval of any sale of the Property.

BE IT FURTHER RESOLVED, that the Mayor, or his designee, is directed and authorized to do all of the following in connection with the marketing of the Property:

1. The Property shall be re-appraised at least once every twelve (12) months until sold.
2. To market the property with the requirement that as a term and condition of any sale, an historical resource research report, of a quality sufficient to meet the requirements of the Historical Resources Guidelines in the Land Development Manual, be prepared within twelve (12) months from the close of escrow, and that a copy of that document be provided to the City.
3. To retain, on terms deemed by the Mayor or his designee to be reasonable and in the best interests of the City, the services of a real estate broker to represent the City and facilitate the sale of the Property, and to pay said real estate broker a commission related to the sale of the Property in an amount not to exceed four percent (4%) of the sale price, which shall be done in compliance with San Diego Municipal Code section 22.0905.

APPROVED: JAN I. GOLDSMITH, City Attorney

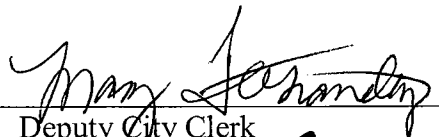
By   
Melissa D. Ables  
Deputy City Attorney

MDA:mcm  
March 29, 2016  
April 12, 2016 - Rev. Copy  
Or.Dept: Real Estate Assets Department  
Doc. No.: 1255541

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of APR 12 2016.

ELIZABETH S. MALAND

City Clerk

By   
Deputy City Clerk

Approved: 4/27/16  
(date)

  
KEVIN L. FAULCONER, Mayor

Vetoed: \_\_\_\_\_  
(date)

\_\_\_\_\_  
KEVIN L. FAULCONER, Mayor

Passed by the Council of The City of San Diego on APR 12 2016, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Sherri 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Date of final passage APR 28 2016

(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 Hernandez*, Deputy

Office of the City Clerk, San Diego, California  
Resolution Number R- 310358