

RESOLUTION NUMBER R- 311152

DATE OF FINAL PASSAGE MAY 25 2017

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO AUTHORIZING THE DEDICATION OF A CITY-OWNED 28 FOOT WIDE STRIP OF REAL PROPERTY LOCATED ALONG PARK BOULEVARD, BETWEEN G STREET AND MARKET STREET, AS RIGHT-OF-WAY FOR PUBLIC STREET PURPOSES, AND AUTHORIZING THE SALE OF SAID 28 FOOT WIDE STRIP OF REAL PROPERTY TO THE ADJACENT PROPERTY OWNER, PARK & MARKET DEVELOPMENT PARTNERS, LP, SUBJECT TO SAID DEDICATION AND RETENTION OF OWNERSHIP OF THE PUBLIC IMPROVEMENTS LOCATED THEREON.

WHEREAS, the City of San Diego (City) owns that certain 28 foot strip of real property, Assessor's Parcel Number 535-134-09, located along the Easterly 28.00 feet of Lots G, H, I, J, K and L, Block 81 of Horton's Addition, in the City of San Diego, County of San Diego, State of California, according to Map thereof made by L.L. Lockling, recorded July 21, 1871, filed in the Office of the County Recorder of San Diego County, also being that certain portion of land granted to the City of San Diego per Document No. 2016-0467589, recorded September 7, 2016, of Official Records of said County, commonly known as Park Boulevard, between G Street and Market Street, within the City of San Diego (the City Property); and

WHEREAS, although street improvements along, over and on the City Property were completed years ago, and all parties involved with the adjacent developments thought the City Property was previously dedicated as right-of-way, the City Property was never formally dedicated as right-of-way; and

WHEREAS, Park & Market Development Partners, LP, a Delaware limited partnership (Park & Market), owner of the real property located adjacent to the City Property, desires to purchase the City Property; and

WHEREAS, City staff has determined that the City Property has no development potential and will only present maintenance and/or liability responsibilities for the City, City staff recommends that the City Property be sold and conveyed to Park & Market, subject to the City's reserving and retaining ownership rights in all street improvements located thereon, and subject to the dedication rights imposed thereon for public street purposes; and

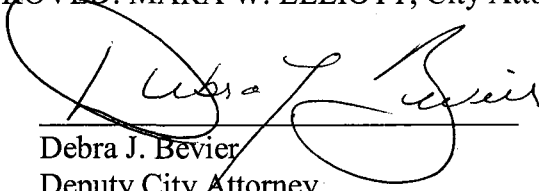
WHEREAS, qualified City staff has determined that the market value of the City Property is the nominal value of \$100.00; NOW, THEREFORE,

BE IT RESOLVED, that the Council authorizes the dedication of right-of-way, for public street purposes, over that certain City-owned 28 foot wide strip of real property located along the Easterly 28.00 feet of Lots G, H, I, J, K and L, Block 81 of Horton's Addition, in the City of San Diego, County of San Diego, State of California, according to Map thereof made by L.L. Lockling, recorded July 21, 1871, filed in the Office of the County Recorder of San Diego County, also being that certain portion of land granted to the City of San Diego per Document No. 2016-0467589, recorded September 7, 2016, of Official Records of said County, and further authorizes naming the new section of right of way "Park Boulevard", as a continuation thereof.

BE IT FURTHER RESOLVED, that the Mayor, or his designee, is authorized to execute a purchase and sale agreement, a conveying grant deed, and all other documents required to complete the sale of the above-described City Property, on terms and conditions deemed reasonable and in the City's best interest, to sell the above-described City Property to the adjacent property owner, Park & Market Development Partners, LP, a Delaware limited partnership, subject to the City's reserving and retaining ownership rights in all street improvements located thereon, and subject to the dedicated right-of-way interests imposed thereon for public street purposes.

BE IT FURTHER RESOLVED, that the Chief Financial Officer is authorized to accept and deposit the proceeds of the sale, less any net costs related to the sale, into Capital Outlay Fund Number 400002, and deposit any Independent Contract Consideration Payment into General Fund Number 100000.


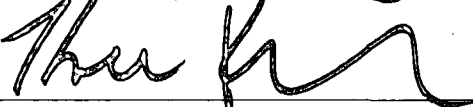
APPROVED: MARA W. ELLIOTT, City Attorney

By 
Debra J. Bevier
Deputy City Attorney

DJB:als
05/09/2017
Or.Dept: READ
Doc. No.: 1501836

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of MAY 23 2017.

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

KEVIN L. FAULCONER, Mayor

Approved: 5/25/17
(date)

Vetoed: _____
(date)

KEVIN L. FAULCONER, Mayor

Passed by the Council of The City of San Diego on MAY 23 2017, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Barbara Bry	<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"/>
Chris Ward	<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"/>
Georgette Gomez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage MAY 25 2017.

(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 *Linda Krwin*, Deputy

Office of the City Clerk, San Diego, California
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