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(R-2019-1) 7/24/18

RESOLUTION NUMBER R- 311905

DATE OF FINAL PASSAGE JUL 27 2018

A RESOLUTION OF THE COUNCIL OF THE CITY OF
SAN DIEGO AUTHORIZING A MUTUAL ACCESS
EASEMENT AGREEMENT OVER CITY-OWNED PROPERTY
IN PACIFIC HIGHLANDS RANCH.

WHEREAS, on November 14, 2014, the City of San Diego (City) acquired that certain property commonly referred to as Lots 26 and 30 of "The Village at Pacific Highlands Ranch Unit 2 & 3" (Property), as more particularly described in that certain Grant Deed authorized by and attached to Resolution R-309243 (Oct. 14, 2014); and

WHEREAS, when the City acquired the Property, the Property was subject to a general utility and access easement described in Subdivision Map No. 15966, recorded in the Official Records of the San Diego County Recorder as File No. 2014-0072584 on February 21, 2014; and

WHEREAS, in accordance with the requirements of Planned Development Permit No. 1434095 recorded in the Official Records of the San Diego County Recorder as File No. 2017-0272056, KB Home Coastal, Inc., a California corporation, Carmel Village, LP, a California limited partnership, Luna Family Housing, LP, a California limited partnership, and PHR Village, LLC, a California limited liability company, and PHR Village II, LLC, a California corporation (the "Parties") and the City desire to enter into a mutual access agreement to grant an access and maintenance easement over the Property and the four adjacent properties owned by the Parties; and

WHEREAS, City staff has negotiated a Mutual Access Easement Agreement on file in the Office of the City Clerk as Document No. RR-311905 with the Parties to grant an access and maintenance easement over a portion of Lot 30 of the Property, as described in that certain Mutual Access Easement Agreement; and

WHEREAS, the Mutual Access Easement Agreement does not require the City to maintain any portion of the easement or the road planned to be constructed on the easement; and

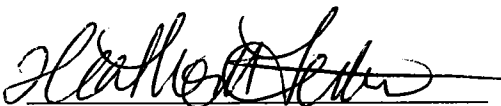
WHEREAS, approximately 3,731 square feet of Lot 30 of the Property will be subject to the Mutual Access Easement Agreement; and

WHEREAS, appraised fair market value of the property rights to be conveyed to the Parties is \$18,700; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that the Mayor, or his designee, is authorized to execute that certain Mutual Access Easement Agreement on file in the Office of the City Clerk as Document No. RR311905 with KB Home Coastal, Inc., a California corporation, Carmel Village, LP, a California limited partnership, Luna Family Housing, LP, a California limited partnership, and PHR Village, LLC, a California limited liability company and PHR Village II, LLC, a California corporation, granting an access and maintenance easement across a portion of the City-owned property described therein.

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.

APPROVED: MARA W. ELLIOTT, City Attorney

By 
Heather M. Ferbert
Deputy City Attorney

HMF:nja
06/11/18
Or. Dept: READ
Doc. No.: 1770492

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of JUL 24 2018.

ELIZABETH S. MALAND
City Clerk

By


Deputy City Clerk

Approved:

7/27/18
(date)


KEVIN L. FAULCONER, Mayor

Vetoed:

(date)

KEVIN L. FAULCONER, Mayor

Passed by the Council of The City of San Diego on JUL 24 2018, 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 JUL 27 2018

(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:

(Seal)

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

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

By , Deputy

Office of the City Clerk, San Diego, California

Resolution Number R- 311905