

RESOLUTION NUMBER R- 312066  
DATE OF FINAL PASSAGE DEC 10 2018

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO AUTHORIZING THE MAYOR OR HIS DESIGNEE TO SELL BY NEGOTIATION CERTAIN EXCESS CITY PROPERTY LOCATED BETWEEN UNA STREET AND VESTA STREET IN SAN DIEGO, CALIFORNIA TO DEL PROPERTIES LP FOR \$9,500; AUTHORIZING THE MAYOR OR HIS DESIGNEE TO ENTER INTO AGREEMENTS TO CONSUMMATE THE SALE; AND AUTHORIZING THE CHIEF FINANCIAL OFFICER TO ACCEPT AND DEPOSIT THE INDEPENDENT CONSIDERATION AND THE PROCEEDS OF THE SALE.

WHEREAS, the City of San Diego (City) is the owner of approximately 405 square feet of real property, improved with a road, located between Una Street and Vesta Street in San Diego, California 92113 (Property); and

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

WHEREAS, the value of the Property as disclosed by an appraisal made by a qualified real estate appraiser or a qualified employee of the City is \$9,500; and

WHEREAS, if the Council of the City of San Diego (Council) authorizes the Mayor or his designee to sell the Property to the Del Properties LP (Buyer), 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, deed, and all other agreements and documents necessary to complete the sale transaction and transfer the Property to the Buyer; and

WHEREAS, the Purchase and Sale Agreement will require the Buyer to pay City \$100 in consideration for City's execution and delivery of the Purchase and Sale Agreement into escrow (Independent Consideration), which shall be immediately released by the escrow agent to City, and is non-refundable regardless of whether the sale is completed; and

WHEREAS, the City is processing an application to vacate the public right of way on the Property by separate action; and

WHEREAS, the sale of the Property is a subsequent discretionary action that was adequately addressed in the Final Mitigated Negative Declaration No. 515674/SCH No. 2018091033, dated October 22, 2018 prepared in accordance with the California Environmental Quality Act (CEQA) for the EDCO Recovery and Transfer Station Project, adopted by Council on December 3, 2018, and is not considered a separate project pursuant to Section 15378(c) of the CEQA Guidelines; and

WHEREAS, San Diego City Charter section 77 requires all proceeds from the sale of City real property be deposited into the City's Capital Outlay Fund; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that the Mayor or his designee is authorized to execute and deliver a purchase and sale agreement with Del Properties LP to sell that certain City-owned property located between Una Street and Vesta Street, San Diego, California 92113, consisting of approximately 405 square feet of land, for \$9,500, and any other agreements and documents required to complete the sale and transfer of the Property on terms and conditions deemed reasonable and in the City's best interest by the Mayor or his designee.

BE IT FURTHER RESOLVED, that the Chief Financial Officer is authorized and directed to accept and deposit the proceeds of the sale of the Property, net costs related to the sale, into the Capital Outlay Fund 40002.

BE IT FURTHER RESOLVED, that the Chief Financial Officer is authorized and directed to accept and deposit the Independent Consideration into the General Fund Number 100000.

APPROVED: MARA W. ELLIOTT, City Attorney

By Marco A. Verdugo  
Marco A. Verdugo  
Deputy City Attorney

MAV:ccm  
November 15, 2018  
Or.Dept: READ  
Doc. No.: 1878535.docx

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of DEC 03 2018.

ELIZABETH S. MALAND  
City Clerk

By Elizabeth S. Maland  
Deputy City Clerk

Approved: 12/10/18  
(date)

Kevin L. Faulconer  
KEVIN L. FAULCONER, Mayor

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

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

Passed by the Council of The City of San Diego on DEC 03 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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"/>

**DEC 10 2018**

Date of final passage \_\_\_\_\_

(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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