

RESOLUTION NUMBER R- 314708

DATE OF FINAL PASSAGE APR 24 2023

A RESOLUTION OF THE COUNCIL OF THE CITY OF
SAN DIEGO AUTHORIZING DEDICATION OF A 3,155
SQUARE FOOT PORTION OF ASSESSOR'S PARCEL
NUMBER 645-040-50 FOR PUBLIC STREET PURPOSES
(PLAYA DEL SOL PARKWAY, OTAY MESA, CA).

WHEREAS, the City of San Diego (City) owns approximately 17 acres of vacant land, adjacent to Playa Del Sol Parkway in Otay Mesa (Assessor's Parcel Number 645-040-50) (City Property), for the purposes of environmental conservation under a Subgrant Agreement between the City and the Wildlife Conservation Board (WCB), a subdivision of the State of California (Subgrant Agreement); and

WHEREAS, Tri Pointe Homes, Inc., a Delaware corporation, doing business as Tri Pointe Homes and formerly known as Pardee Homes (Tri Pointe), owns land adjacent to the City Property; and

WHEREAS, in 2009, the City Council approved Tri Pointe's Vesting Tentative Map No. 551809 to subdivide its 45.97-acre site for a residential condominium development called the Playa Del Sol project (Project), located south of Ocean View Hills Parkway, north of State Route 905, and west of A Street, by Resolution R-304667; and

WHEREAS, as part of its Project, Tri Pointe constructed the Playa Del Sol Parkway (Parkway) and dedicated it to the City as a public street via Final Map No. 16109, approved by the City and filed in the Official Records of the San Diego County Recorder (Official Land Records) on May 20, 2016, as Document No. 2016-7000210; and

WHEREAS, the Parkway and associated improvements have been constructed and are ready for acceptance by the City Engineer; and

WHEREAS, during construction of and as part of the Parkway, Tri Pointe mistakenly graded a 3,155-square foot portion of the City Property (Graded Property), which was not dedicated for public street purposes in 2016; and

WHEREAS, to offset the biological losses caused by the inadvertent grading of the Graded Property, WCB, Tri Pointe, and the City have agreed to allow Tri Pointe to grant to the City a perpetual conservation easement on a 6,595-square foot portion of Tri Pointe's property (APN 645-076-20) (Replacement Property); and

WHEREAS, on or about December 22, 2017, WCB confirmed that the Replacement Property provides the City with vernal pool habitat of at least similar or higher quality habitat than the Graded Property; and

WHEREAS, Tri Pointe's grant to the City of a conservation easement over the Replacement Property was filed in the Official Land Records on June 10, 2020, as Document No. 2020-0297548; and

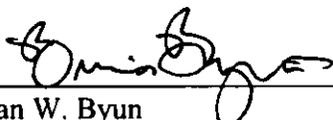
WHEREAS, WCB and the City subsequently amended the Subgrant Agreement to replace the Graded Property with the Replacement Property and signed a Notice of Unrecorded Subgrant Agreement (with Covenants Affecting Real Property), filed in the Official Land Records on June 24, 2020, as Document No. 2020-0329622; and

WHEREAS, on March 2, 2023, the Land Use & Housing Committee voted unanimously in favor of dedicating the Graded Property as part of the Parkway for public street purposes; and

WHEREAS, the Office of the City Attorney has drafted this Resolution based on the information provided by City staff, with the understanding that this information is complete, true, and accurate; NOW, THEREFORE,

BE IT RESOLVED, by the City Council of the City of San Diego, that the Mayor, or designee, is authorized to take all actions necessary to facilitate the dedication, for street purposes, of that certain 3,155-square foot portion of graded City-owned property (a portion of Assessor's Parcel Number 645-040-50) located on Playa Del Sol Parkway in Otay Mesa, California, as further described in the attached Exhibit A (Legal Description) and Exhibit B (Engineer Drawing No. 39287-B) attached hereto and made a part hereof.

APPROVED: MARA W. ELLIOTT, City Attorney

By 
Brian W. Byun
Deputy City Attorney

BWB:nja
March 21, 2023
Or.Dept: DREAM
Doc. No. 3241514

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of APR 11 2023

DIANA J.S. FUENTES
City Clerk

By 
Deputy City Clerk

Approved: 4/24/23
(date)


TODD GLORIA, Mayor

Vetoed: _____
(date)

TODD GLORIA, Mayor

EXHIBIT "A"
LEGAL DESCRIPTION

PUBLIC STREET EASEMENT - PORTION OF PLAYA DEL SOL PARKWAY

All that portion of the Southeast Quarter of the Southeast Quarter of Section 30, Township 18 South, Range 1 West, San Bernardino Meridian in the City of San Diego, County of San Diego, State of California, according to the official plat thereof filed in the office of the County Recorder, described as follows:

Beginning at the Northwest corner of said Southeast Quarter of the Southeast Quarter of Section 30 as shown on California Terraces Unit No. 3C, according to the map thereof number 13859, filed in the office of the County Recorder October 7, 1999;

Thence along the Northerly line of said Southeast Quarter of the Southeast Quarter South $88^{\circ}12'08''$ East, 29.25 feet to a point on the arc of a non-tangent 1,801.00 foot radius curve concave easterly, a radial to said point bears North $80^{\circ}09'25''$ West;

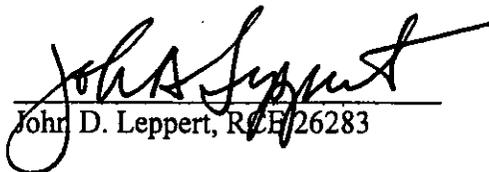
Thence southerly along the arc of said curve through a central angle of $10^{\circ}20'10''$, a distance of 324.90 feet;

Thence North $0^{\circ}29'35''$ West, 324.31 feet to the point of beginning.

Containing 3,155 square feet more or less.

Attached hereto is drawing no. 39287-B labeled EXHIBIT "B" and by this reference is made a part hereof.

This property description has been prepared by me or under my direction in conformance with the Professional Land Surveyors act.


John D. Leppert, RCE 26283



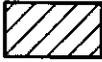
DWG NO. 39287-B
PTS NO. 451200
I.O. NO. 24006278

BASIS OF BEARINGS

THE BASIS OF BEARINGS FOR THIS PLAN IS THE NORTHERLY LINE OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 30, TOWNSHIP 18 SOUTH, RANGE 1 WEST, SAN BERNARDINO MERIDIAN PER CALIFORNIA TERRACES, UNIT NO. 3C, MAP NO. 13859, I.E. N88°12'08"W.

EXHIBIT 'B'

LEGEND



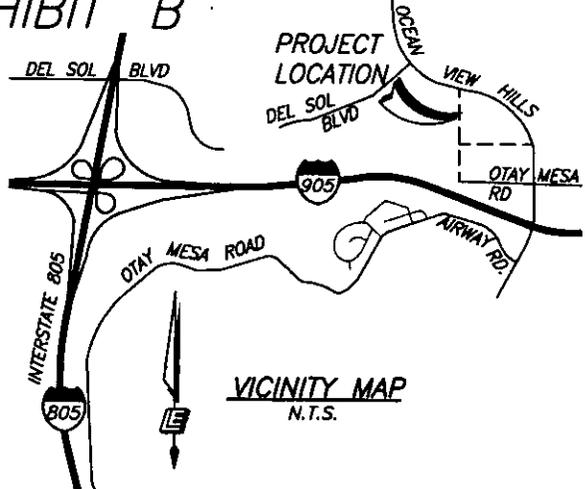
INDICATES PORTION OF PLAYA DEL SOL PARKWAY ACQUIRED. 3,155 SQ. FT.

REFERENCE DRAWINGS

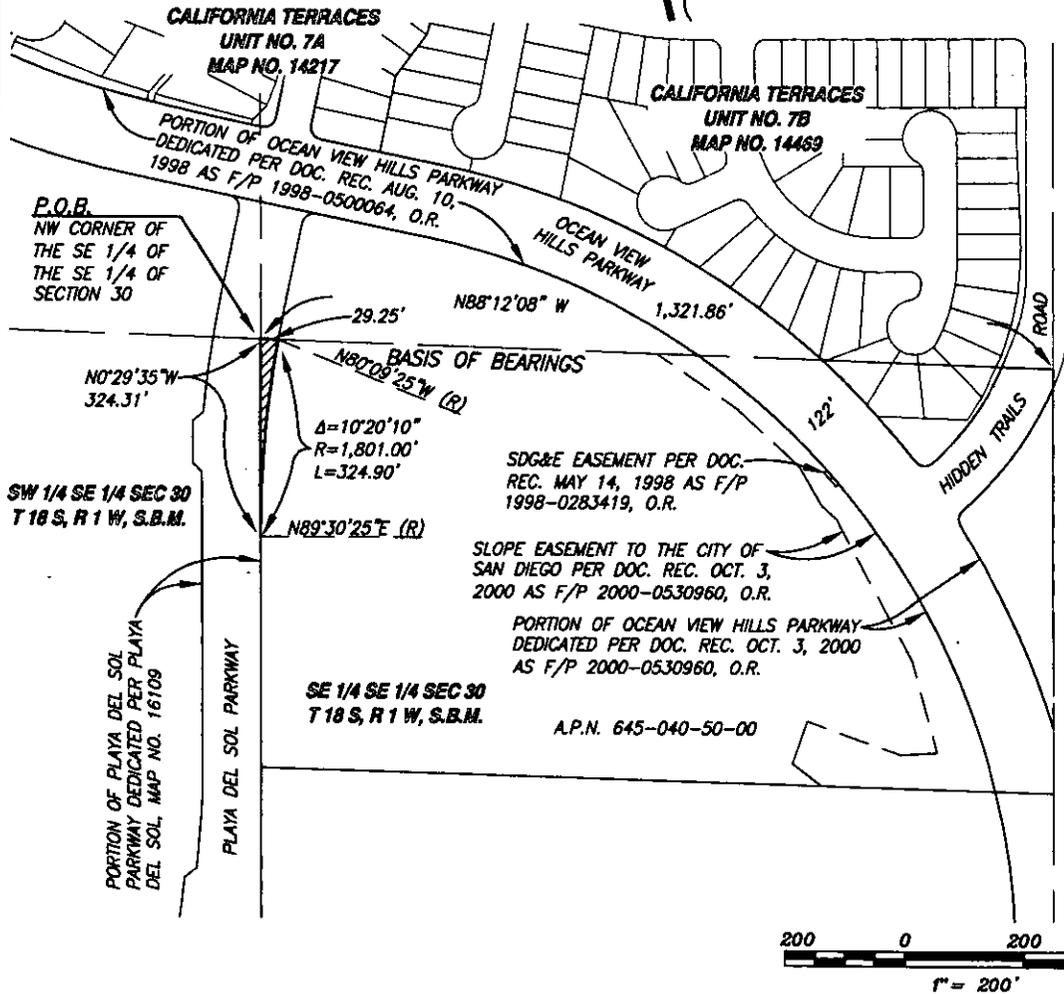
MAP 13859, MAP 14217, MAP 14469

PREPARED BY:

John D. Leppert
JOHN D. LEPPERT
RCE 26283, EXP 3-31-2016



VICINITY MAP
N.T.S.



Leppert Engineering Corporation
5190 Governor Drive, Suite 205
San Diego, Ca. 92122-2848
Phone: (658) 597-2001

**PUBLIC STREET EASEMENT ~ PORTION OF PLAYA DEL SOL PARKWAY
POR. SE 1/4 SE 1/4 SECTION 30, T 18 S, R 1 W, SBM**

DESCRIPTION	BY	APPROVED	DATE	FILMED	CITY OF SAN DIEGO, CALIFORNIA	PTS NO. 451200
ORIGINAL	LEC				SHEET 1 OF 1 SHEETS	I.O. NO. 24006278
					FOR CITY ENGINEER	DATE
						1786-6323 NAD 83 COORDINATES
						146-1763 LAMBERT COORDINATES
						39287-B

STATUS

Passed by the Council of The City of San Diego on APR 11 2023, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Joe LaCava	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jennifer Campbell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Stephen Whitburn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Monica Montgomery Steppe	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marni von Wilpert	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kent Lee	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Raul A. Campillo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Vivian Moreno	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sean Elo-Rivera	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage APR 24 2023.

(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:

TODD GLORIA
Mayor of The City of San Diego, California.

(Seal)

DIANA J.S. FUENTES
City Clerk of The City of San Diego, California.

By Cecilia Patterson, Deputy

Office of the City Clerk, San Diego, California
Resolution Number R- 314708