

MWD - 9011

000589

REQUEST FOR COUNCIL ACTION
CITY OF SAN DIEGO

1. CERTIFICATE NUMBER (FOR AUDITOR'S USE) 104
2900210 10/21

TO: CITY ATTORNEY

2. FROM (ORIGINATING DEPARTMENT):
Real Estate Assets Department

3. DATE: July 31, 2008

4. SUBJECT: Water and Sewer Group Job 770 - Easement Acquisition

5. PRIMARY CONTACT (NAME, PHONE, & MAIL STA.) LANE MACKENZIE (619) 236-6050, MS 51A
6. SECONDARY CONTACT (NAME, PHONE, & MAIL STA.) David Yeargain (619) 236-6721, MS 51A
7. CHECK BOX IF REPORT TO COUNCIL IS ATTACHED

8. COMPLETE FOR ACCOUNTING PURPOSES

FUND	41506				9. ADDITIONAL INFORMATION / ESTIMATED COST:
DEPT.	773				Easement Acquisition: \$9,000
ORGANIZATION	960				Other Related Costs: \$35,000
OBJECT ACCOUNT	4638				Total Request: \$44,000 paid by
JOB ORDER	179209				Right of way Design Division
C.I.P. NUMBER	44-001.0/44-227.8				Job: 530166
AMOUNT	\$44,000				cc: Dept. Docket Clerk
					Thomas Guide Page: 1269 J-6

10. ROUTING AND APPROVALS

ROUTE (#)	APPROVING AUTHORITY	APPROVAL SIGNATURE	DATE SIGNED	ROUTE (#)	APPROVING AUTHORITY	APPROVAL SIGNATURE	DATE SIGNED
1	ORIGINATING DEPARTMENT	<i>J.F. Lamb</i>	8/4/08	8	DEPUTY CHIEF	<i>Bea Murray</i>	9/12/08
2	E&CP	<i>M. Walker</i>	8/22/08	9	CITY ATTORNEY	<i>[Signature]</i>	9/15/08
3	EAS	<i>Allison Sherwood</i>	9-3-08	10	ORIG. DEPT	<i>J.F. Lamb</i>	9/15/08
4	EOCP/MEMO 5/3/96			11			
5	FINANCIAL MANAGEMENT	<i>[Signature]</i>	9/9/08		DOCKET COORD:	<i>[Signature]</i>	9/10/08
6	COMPTROLLER	<i>Van Nguyen</i>	9/11/08		COUNCIL PRESIDENT	<i>[Signature]</i>	
7	MWWD	<i>[Signature]</i>	8/13/08		<input type="checkbox"/> SPOB	<input checked="" type="checkbox"/> CONSENT	<input type="checkbox"/> ADOPTION
					<input type="checkbox"/> REFER TO:		COUNCIL DATE: 10/21/08

11. PREPARATION OF: RESOLUTION(S) ORDINANCE(S) AGREEMENT(S) DEED(S)

- 1) Authorizing the Mayor to accept Grant of Easement document, executed by Wanda M. Sajtar Family Trust, granting an easement for sewer purposes across portions of Lot 4 of Clifford Point in the City of San Diego, according to Map thereof, No. 3171, filed in the Office of the County Recorder, January 6, 1955' and *018 Annual Allocation - Sewer Main Replacement, Fund 41506*
- 2) Authorizing the expenditure of \$44,000 from CIP 44.001.0/44-227.8 (~~40-17920~~), *Right of Way Design Division*, the easement acquisition and other related costs, contingent upon the City Auditor and Comptrollers furnishing a certificate certifying that funds necessary for expenditure are, or will be, on deposit with the City Treasurer. *for*

11A. MANAGER'S RECOMMENDATIONS: ADOPT THE RESOLUTIONS

12. SPECIAL CONDITIONS (REFER TO A.R. 3.20 FOR INFORMATION ON COMPLETING THIS SECTION.)

COUNCIL DISTRICT(S): 7

COMMUNITY AREA(S): CITY HEIGHTS

ACTION REQUESTED BY: REAL ESTATE ASSETS DEPARTMENT

LOCATION: Belle Isle Drive at Redwood in City Heights

ENVIRONMENTAL ASSESSMENT: This activity is not a "project" and is therefore not subject to CEQA pursuant to State CEQA Guidelines Section §15060(c) (3).

APPRAISAL: Staff has approved an appraised value of \$9,000 by Ted Hendrickson, MAI, report dated October 30, 2007.

COST OF PROPERTY RIGHTS: Easement - \$9,000; estimated labor, escrow, title and miscellaneous costs of acquisition: \$35,000. Total - \$44,000.

HANDLING: DO NOT RECORD: RETURN DOCUMENTS TO Real Estate Assets Department, Attention: David Yeargain, M.S. 51A for further handling.

**The City of San Diego
CERTIFICATE OF CITY AUDITOR AND COMPTROLLER**

000593

CERTIFICATE OF UNALLOTTED BALANCE
ORIGINATING

AC 2900210
DEPT. _____
NO. 773

I HEREBY CERTIFY that the money required for the allotment of funds for the purpose set forth in the foregoing resolution is available in the Treasury, or is anticipated to come into the Treasury, and is otherwise unallotted.

Amount: \$35,000.00 Fund: 41506

Purpose: Authorizing the expenditure of funds for the related costs for Water and Sewer Group Job 770.

Date: September 11, 2008 By: Van Nguyen

AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA											
ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/	EQUIP	FACILITY	AMOUNT
1	0	41506	773	960	4278	179200					\$35,000.00
TOTAL AMOUNT											\$35,000.00

FUND OVERRIDE

CERTIFICATION OF UNENCUMBERED BALANCE

I HEREBY CERTIFY that the indebtedness and obligation to be incurred by the contract or agreement authorized by the hereto attached resolution, can be incurred without the violation of any of the provisions of the Charter of the City of San Diego; and I do hereby further certify, in conformity with the requirements of the Charter of the City of San Diego, that sufficient moneys have been appropriated for the purpose of said contract, that sufficient moneys to meet the obligations of said contract are actually in the Treasury, or are anticipated to come into the Treasury, to the credit of the appropriation from which the same are to be drawn, and that the said money now actually in the Treasury, together with the moneys anticipated to come into the Treasury, to the credit of said appropriation, are otherwise unencumbered.

Not to Exceed: \$9,000.00

Vendor: Wanda M. Sajtar Family Trust

Purpose: Authorizing the expenditure of funds for Easement Acquisition for Water and Sewer Group Job 770.

Date: September 11, 2008 By: Van Nguyen

AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA											
ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/	EQUIP	FACILITY	AMOUNT
1	0	41506	773	960	4638	179209					\$9,000.00
TOTAL AMOUNT											\$9,000.00

FUND OVERRIDE

000595

APPRAISAL SUMMARY STATEMENT

The market value for the property to be acquired is based upon an appraisal prepared in accordance with accepted appraisal principals and procedures. Recent sales of comparable properties were utilized to estimate lot value by the sales comparison approach. Other approaches (income and cost approach) were not applicable in valuing the site as if vacant.

BASIC PROPERTY DATA

OWNER:

Wanda M. Sajtar, Family Trust, (April 10, 2006)

SUBJECT PROPERTY ADDRESS:

3122 Belle Isle Drive, San Diego, CA 92105

ASSESSOR'S PARCEL NUMBER:

476-341-04-00

PRESENT USE:

Single Family Residential

HIGHEST AND BEST USE:

Residential

PROPERTY CONSIDERED FOR ACQUISITION:

10 foot wide, underground sewer easement.

INTEREST VALUED

Fee simple interest in establishing the underlying lot value. Sewer easement as to the portion sought.

Market values:

Value of the Whole (land only)	\$235,000.00
Value of the Part Taken	\$8,684.00
Severance Damages	0
Benefits Net Severance Damages	0
Just Compensation (rounded)	\$9,000.00

DATE OF VALUATION:

October 30, 2007

APPLICABLE ZONING:

RS-1-7; (Single Family Residential; minimum lot size, 5,000 square feet)

Recording Requested by:
City Real Estate Assets Dept.
After recording mail to:

000597

**Real Estate Assets Dept.
City of San Diego
Mail Station 51A**

476	341	04	PTN
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SPACE ABOVE THIS LINE FOR RECORDER'S USE
NO DOCUMENTARY TAX DUE - R & T 11922 (amended)
Presented for record by the CITY OF SAN DIEGO

EASEMENT DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

**WANDA M. SAJTAR, TRUSTEE OF THE WANDA M. SAJTAR FAMILY TRUST,
dated April 10, 2006**

HEREBY GRANT(S) To The City of San Diego, a municipal corporation, in the County of San Diego, State of California, a permanent easement and right-of-way to construct, reconstruct, maintain, operate and repair a public **sewer pipeline** including all incidents and appurtenances thereto, together with the right of ingress and egress, over, under, upon, along and across all that real property situated in the City of San Diego, County of San Diego, State of California, described as follows:

See Exhibit "A" attached hereto and as shown on Exhibit "B" attached hereto for illustration purposes.

Reserving unto Grantor herein, their heirs and assigns, the continued use of the above described parcel of land subject to the following conditions: The erecting of buildings, masonry walls, fences and other structures; the planting or growing of trees; the changing of the surface grade; and the installation of privately pipelines shall be prohibited except by written permission of the City of San Diego.

This is to certify that the interest in the real property conveyed by this instrument to the City of San Diego, a municipal corporation, is hereby accepted the undersigned officer on behalf of the City of San Diego pursuant to authority conferred by Resolution No. 250320, adopted by the Council of the City of San Diego on October 1, 1979, and the grantee consents to recordation thereof by its duly authorized officer.

Wanda M. Sajatar, Trustee of the Wanda M. Sajatar
Family Trust, dated April 10, 2006

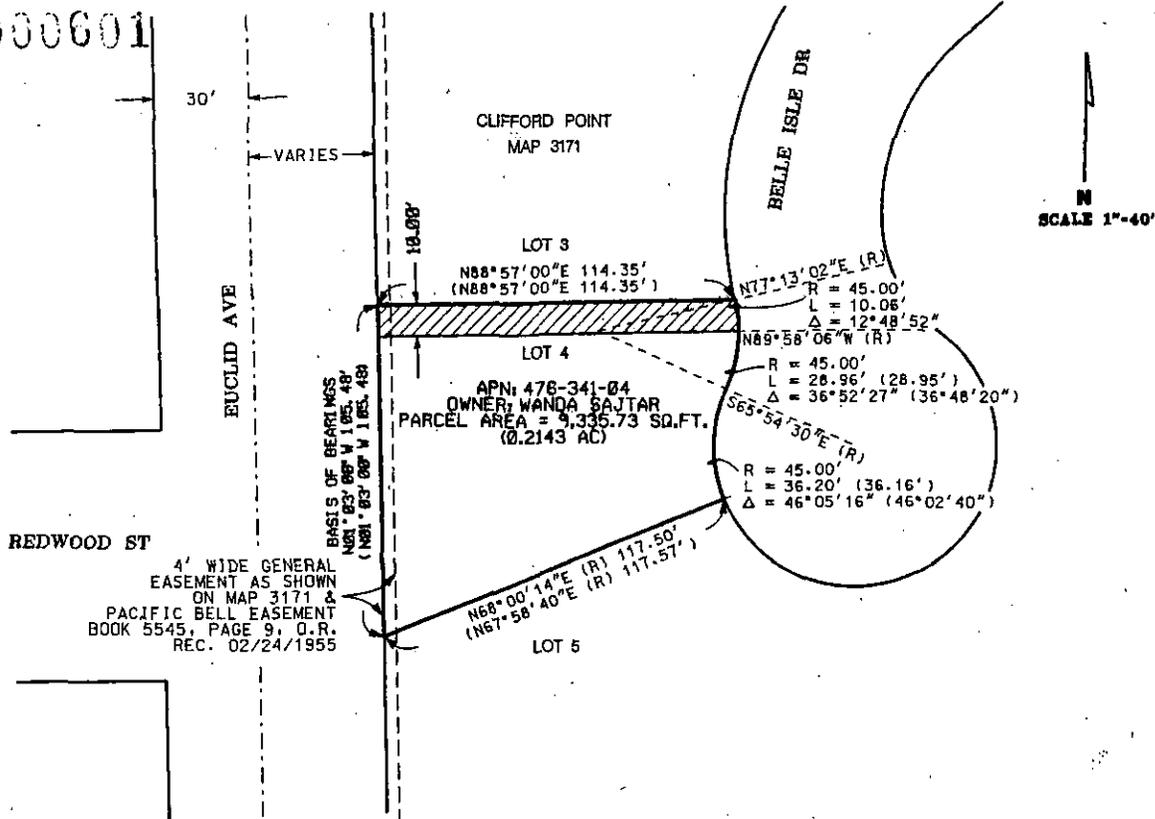
By: _____

Dated _____ By _____

Jim Barwick, Director
Real Estate Assets Department

Print Name and Title

000601



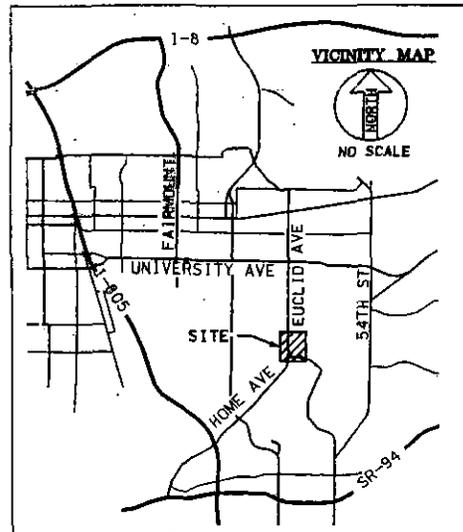
BASIS OF BEARINGS:

THE BASIS OF BEARINGS IS THE WESTERLY LINE OF CLIFFORD POINT MAP 3171 I.E. N01°03'00"W

LEGEND:

INDICATES SEWER EASEMENT AREA
AREA = 1,150.06 SQ.FT.

() = RECORD DATA PER MAP 3171



PREPARED BY:
CITY OF SAN DIEGO ENGINEERING AND CAPITAL PROJECTS DEPARTMENT, FIELD DIVISION, SURVEY SECTION, UNDER THE DIRECTION OF L.E. CARTER JR. PLS 6148, SR. LAND SURVEYOR



RESOLUTION NO.: _____

ADOPTED: _____

F/P: _____

RECORDED: _____

**SEWER EASEMENT
IN A POR. OF LOT 4 CLIFFORD POINT MAP 3171**

DESCRIPTION	BY	APPROVED	DATE	FILED	CITY OF SAN DIEGO, CALIFORNIA	T.M.
ORIGINAL	DGB	LEC	1/08/05		SHEET OF 1 SHEET	NONE
					FOR CITY ENGINEER	179201
					DATE 12/14/05	1848-6302
						CCS 83 COORDINATES
						208-1740
						LAMBERT COORDINATES
						20491 - B
STATUS						

000603

"SEWER EASEMENT"

APN: 476-341-04

That portion of Lot 4, CLIFFORD POINT, in the City of San Diego, County of San Diego, State of California, according to Map No. 3171, filed in the office of the county recorder of San Diego County on 01/06/1955, being a strip of land 10.00 feet in width lying southerly of, contiguous to and parallel with the north line of said Lot 4.

The side lines of said easement terminate at their intersection with the easterly or westerly line of said Lot 4.

Said parcel contains 1,150.06 square feet.

See City of San Diego Drawing 20491-B.



Lester E. Carter Jr., PLS 6148
Sr. Land Surveyor, Field Engineering
My Registration Expires 3/31/06

12/14/05
Date



000605

Street Map Plus Report

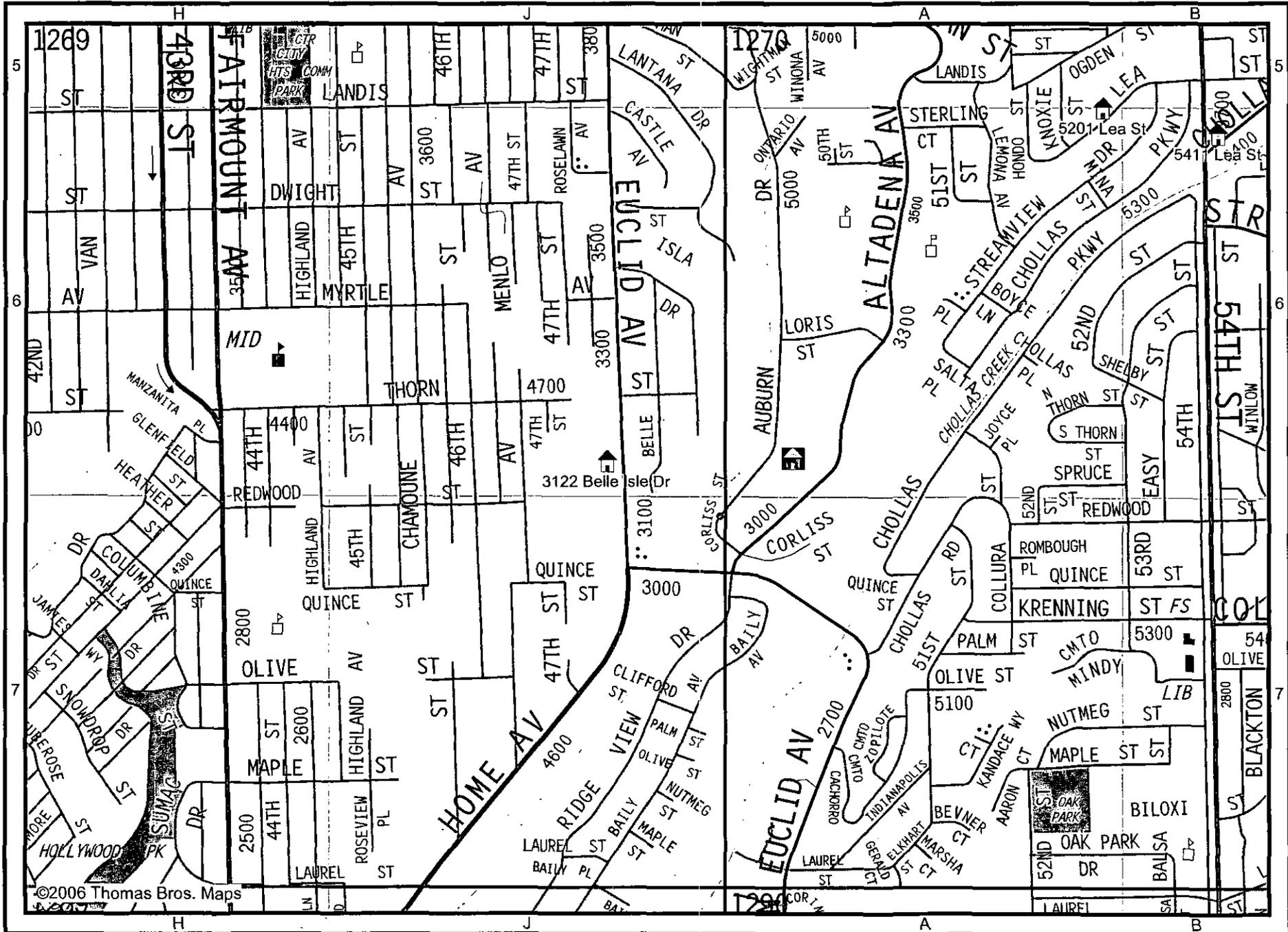
For Property Located At

RealQuest.com

3122 BELLE ISLE DR, SAN DIEGO CA 92105-2905



000607



©2006 Thomas Bros. Maps

3122 Belle Isle Dr: San Diego, CA 92105, 1269 - J6
 5201 Lea St: San Diego, CA 92105, 1270 - A6

: 3115 Altadena Av, San Diego, CA 92105, 1270 - A6
 5411 Lea St: 5600 Chollas Pkwy, San Diego, CA 92105, 1270 - B6

RESOLUTION NUMBER R-_____

DATE OF FINAL PASSAGE _____

A RESOLUTION AUTHORIZING THE MAYOR, OR HIS
DESIGNEE, TO ACCEPT A GRANT OF EASEMENT,
EXECUTED BY WANDA M. SAJTAR FAMILY TRUST,
GRANTING AN EASEMENT FOR SEWER PURPOSES
ACROSS PORTIONS OF LOT 4 OF CLIFFORD POINT.

WHEREAS, Group Job 770 is a sewer and water main replacement project located in
City Heights; and

WHEREAS, the easement for sewer purposes across portions of Lot 4 of Clifford Point
in the City of San Diego, according to Map thereof, No. 3171, filed in the Office of the County
Recorder, January 6, 1955; and

WHEREAS, the project calls for the installation of 2,808 linear feet of 8-inch sewer
mains and 678 linear feet of water mains located mostly in the streets within the City Heights
Community area; and

WHEREAS, the purpose of the project is to relocate the sewer and water main from the
environmentally sensitive canyon abutting the east side of Redwood Street; and

WHEREAS, a portion of the new line crosses private property located at 3122 Belle Isle
Drive; and

WHEREAS, Staff has approved an appraised value of \$9,000 and \$35,000, other costs
for labor, escrow, title and miscellaneous costs of acquisition; and

WHEREAS, this action will allow for the acceptance of the deed for the easement
required for the completion of construction; and

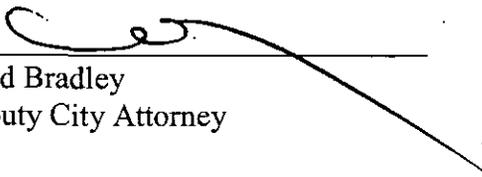
000610

WHEREAS, the Mayor, or his designee, is authorized to accept a Grant Deed for property rights required for the construction of sewer improvements across 3122 Belle Isle Drive; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego to authorize the Mayor, or his designee, to accept a Grant of Easement, granting an easement for sewer purposes across portions of Lot 4 of Clifford Point, according to Map thereof, No. 3171, filed in the office of the County Recorder, January 6, 1955, a copy of which is on file in the office of the City Clerk as Document No. RR- _____.

BE IT FURTHER RESOLVED, that the City Comptroller is authorized to disburse Forty-four Thousand Dollars (\$44,000) from CIP 44.001.0/44-227.8 Annual Allocation- Sewer Main Replacement, Fund 41506 for acquisition and other related costs.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By 

Todd Bradley
Deputy City Attorney

TB:bas
09/16/08
Or.Dept: READ
R-2009-375
MMS #6052

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of _____.

ELIZABETH S. MALAND
City Clerk

By _____
Deputy City Clerk

Approved: _____
(date)

JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor