

RESOLUTION NUMBER R- 308158

DATE OF FINAL PASSAGE MAY 24 2013

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO AUTHORIZING THE SALE OF SURPLUS CITY-OWNED REAL PROPERTY AT THE TERMINUS OF WEST QUINCE STREET, PURSUANT TO THE PURCHASE AND SALE AGREEMENT WITH JOHN D. BOLS, TRUSTEE OF THE JOHN D. BOLS SEPARATE PROPERTY TRUST.

WHEREAS, the City of San Diego (City) owns fee interest in that certain 16,858 square feet of real property, identified as Assessor Parcel Numbers 451-643-01 and 451-672-10, located southeast of the eastern terminus of West Quince Street and west of Reynard Way in San Diego, California (Property). The Property consists of remnant parcels obtained from the County after a tax deed sale in 1954; and

WHEREAS, the Property has sat vacant and unused by the City, and is located on a steep slope. The Property is effectively landlocked, the only legal access being a dedicated street that has not been and likely will never be developed due to the steep topography of the overall site. Also, the City and adjacent property owners have had to expend resources to perform brush management, weed and vagrancy abatement, and litter removal on the Property; and

WHEREAS, John D. Bols, a private individual and Trustee of the John D. Bols Separate Property Trust dated September 25, 2002 (Bols), owns the residential property immediately adjacent to the Property. Bols has approached the City to acquire the Property; and

WHEREAS, Council Policy 700-10 provides that surplus City property may be sold, and that exclusively negotiated sales with contiguous land owners are justified and may be approved

when a parcel is landlocked and where sale to a contiguous owner would correct a site deficiency; and

WHEREAS, the Property was appraised at a value of Ninety Thousand Dollars (\$90,000) by an independent MAI appraiser; and

WHEREAS, the Property is not needed nor is it foreseeable to be needed by any City department for any public purpose or benefit; the sale of the Property would relieve on-going maintenance costs to City; and the Property is unused and deficient as effectively landlocked; and

WHEREAS, City staff negotiated a Purchase and Sale Agreement with Bols for the Property, a copy of which is on file in the Office of the City Clerk as Document No. RR 308158. After receiving community input relating to the Property and the potential transaction, staff included in the Purchase and Sale Agreement certain deed restrictions to limit use and development of the Property; NOW, THEREFORE,

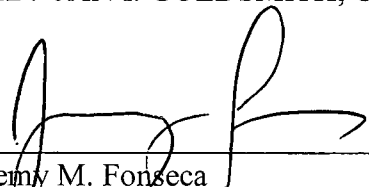
BE IT RESOLVED, by the City Council of the City of San Diego, that the 16,858 square feet of real property, identified as Assessor Parcel Numbers 451-643-01 and 451-672-10, located southeast of the eastern terminus of West Quince Street and west of Reynard Way in San Diego, California (Property), is deficient and surplus City property and may be sold; and

BE IT FURTHER RESOLVED, that the Mayor, or his designee, is authorized and directed to sell the Property to John D. Bols, a private individual and Trustee of the John D. Bols Separate Property Trust dated September 25, 2002, pursuant to the terms and conditions of the Purchase and Sale Agreement on file in the Office of the City Clerk as Document No. RR 308158, for the price of Ninety Thousand Dollars (\$90,000); and

BE IT FURTHER RESOLVED, that the Mayor, or his designee, is authorized and directed to execute and deliver all such agreements and all other instruments to effect and complete the transaction contemplated by this Resolution; and

BE IT FURTHERRESOLVED, that the Chief Financial Officer is authorized to accept and deposit the proceeds of the sale of the Property, net of costs related to the sale, into the Capital Outlay Fund 400002.

APPROVED: JAN I. GOLDSMITH, City Attorney

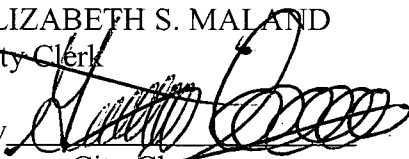
By 

Jeremy M. Fonseca
Deputy City Attorney

JMF:mcm
April 30, 2013
Or.Dept: READ
Doc. No. 534681

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of MAY 14 2013 .

ELIZABETH S. MALAND
City Clerk

By 

Deputy City Clerk

Approved: 5/24/13

(date)



BOB FILNER, Mayor

Vetoed: _____

(date)

BOB FILNER, Mayor

Passed by the Council of The City of San Diego on MAY 14 2013, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Sherri Lightner	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kevin Faulconer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Todd Gloria	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
District 4 (Vacant)	<input 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"/>
Lorie Zapf	<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"/>
Marti Emerald	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

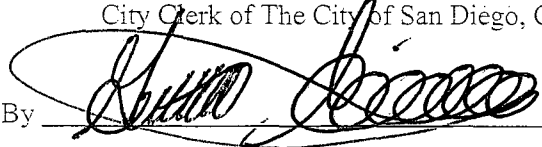
Date of final passage MAY 24 2013

AUTHENTICATED BY:

BOB FILNER
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
Resolution Number R- 308158