

SAN DIEGO HOUSING COMMISSION

RESOLUTION NO. HC- 1788

DATE OF FINAL PASSAGE March 9, 2018

A RESOLUTION AUTHORIZING THE TRANSFER OF THE TITLE TO THE PROPERTY KNOWN AS VIA LAS CUMBRES APARTMENTS FROM THE HOUSING AUTHORITY OF THE CITY OF SAN DIEGO TO THE SAN DIEGO HOUSING COMMISSION

WHEREAS, Via Las Cumbres is a 120-apartment property at 2052 - 2098 Via Las Cumbres (84 apartments owned by the San Diego Housing Commission [Housing Commission] with rents restricted to 80 percent of San Diego's Area Median Income) and 2055 – 2095 Via Las Cumbres (36 apartments of public housing also restricted at 80 percent of San Diego's Area Median Income);

WHEREAS, the Housing Commission constructed these 120 apartments in 1983 under the Federal 221 (d) mortgage insurance program, originally secured by a Deed of Trust for \$3.7 million. The Housing Commission has managed and operated the Via Las Cumbres properties since their construction; and

WHEREAS, on September 1, 1983, the Housing Authority of the City of San Diego (Housing Authority) and the Housing Commission executed the ground lease for this property for 55 years. The Housing Authority owns the land (approximately 10.5 acres). Under the terms of the Ground Lease, the Housing Commission shall pay to the Housing Authority as ground rent for the premises the sum of \$237, 228 per year. Each year of the lease, this money is included in the Housing Commission budget, as approved by the Housing Authority, for use in Housing Commission programs; and

WHEREAS, to resolve potential title issues in the event that new deeds of trust on the property are executed, the Housing Commission is requesting that the property be transferred to the Housing

Commission so that this property is owned by the same entity as the rest of the Housing Commission's portfolio. The Housing Authority now wishes to transfer title of the land to the Housing Commission; NOW THEREFORE,

BE IT RESOLVED, by the Housing Commission that title to the property known as Via Las Cumbres Apartments, described below, is transferred from the Housing Authority to the Housing Commission for the sum of \$1 per unit, or for a total of \$120, similar to the 2007 conversion of the public housing units to non-federally subsidized units:

ALL OF THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF SAN DIEGO, IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS

PARCEL A: APN 431-731-01, 02 & 13

LOTS 1, 2 AND 40, OF UNIVERSITY CANYON, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF 10694, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, AUGUST 9, 1983.

PARCEL B: APN 431-731-27 THRU 29

PARCELS 1, 2 AND 3 OF PARCEL MAP NO. 20296, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, JULY 11, 2007 AS INSTRUMENT NO. 2007-0465645 OF OFFICIAL RECORDS.

BE IT FURTHER RESOLVED, that the Executive Director of the Housing Authority and the President and Chief Executive Officer (President & CEO) of the Housing Commission are authorized to execute any and all documents necessary to effectuate the transfer of title from the Housing Authority to the Housing Commission and to accept such transfer.

BE IT FURTHER RESOLVED, that the Executive Director of the Housing Authority and President & CEO of the Housing Commission are authorized to take such actions as are necessary to amend the Declaration of Trust to substitute the new owner, the Housing Commission, for the previous owner, the Housing Authority.

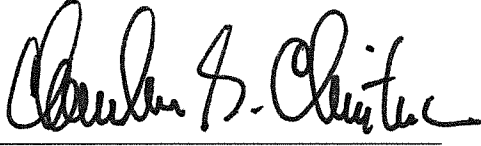
BE IT FURTHER RESOLVED, that the Executive Director of the Housing Authority, or designee, is authorized to execute a grant deed to the Housing Commission providing that at such time as the Property ceases to be utilized for affordable housing, it shall revert to the Housing Authority.

BE IT FURTHER RESOLVED, that the President & CEO of the Housing Commission, or designee, is authorized to execute an acceptance of the grant deed concerning the property.

BE IT FURTHER RESOLVED, that both the Executive Director of the Housing Authority and the President & CEO of the Housing Commission are authorized to perform any and all acts necessary or appropriate to implement the approvals contemplated by these actions, upon advice of the General Counsel of the Housing Commission.

THIS ACTION BECAME FINAL ON MARCH 16, 2018, pursuant to the provisions of San Diego Municipal Code Section 98.0301(e)(1).

APPROVED: Charles Christensen, General Counsel

By   
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Charles Christensen  
General Counsel

Passed and adopted by the San Diego Housing Commission on March 9, 2018, and finalized on March 16, 2018, pursuant to the provisions of San Diego Municipal Code Section 98.0301(e)(1), by the following vote:

	<b>Yeas</b>	<b>Nays</b>	<b>Excused</b>	<b>Not Present</b>
Frank Urtasun	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Dorothy Surdi	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Stefanie Benvenuto	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Margaret Davis	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kellee Hubbard	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Ben Moraga	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tim Walsh	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**AUTHENTICATED BY:**

**Frank Urtasun**

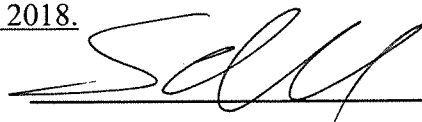
\_\_\_\_\_  
Chair of the San Diego Housing Commission

**Richard C. Gentry**

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President & Chief Executive Officer of the  
San Diego Housing Commission

I HEREBY CERTIFY that the above and foregoing is a full, true and correct copy of RESOLUTION NO. 1788 passed and adopted by the San Diego Housing Commission on March 9, 2018, and finalized on March 16, 2018.

By:

  
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**Scott Marshall**  
Secretary of the San Diego Housing Commission