

RESOLUTION 2007- 35

RESOLUTION OF THE CITY COUNCIL ANNOUNCING THE
ACQUISITION OF THE SHORES PROPERTY AND THE CITY'S
COMMITMENT TO MAINTAINING THE PRESENT USES

WHEREAS, the City of Del Mar and the Del Mar Union School District have worked for more than four years to negotiate the disposition/acquisition of the District's surplus school site at Camino del Mar and 9th Street, commonly known as the Del Mar Shores Property; and

WHEREAS, on July 25, 2007, the District and the City agreed upon the general terms of sale for the 5.3 acre parcel; and

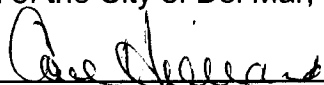
WHEREAS, the City of Del Mar is unable to finance the acquisition. Thus, the purchase of the site will be made possible by funds raised in part by the private Winston School, the long term tenant of the site, and in part by community fundraising efforts led by the Friends of Del Mar Parks Committee of the Del Mar Foundation. Escrow must be completed by February 28, 2008; and

WHEREAS, the City desires to support and encourage those fundraising efforts through its commitment to preserve the present uses of the property.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF DEL MAR DOES HEREBY DETERMINE AS FOLLOWS:

1. The City of Del Mar is committed to purchase the property under the terms and conditions of that Purchase Agreement signed July 30, 2007, for the amount of \$8,500,000. The City has until February 28, 2008 to acquire the funds through the joint fundraising efforts of the Winston School and the community.
2. The purpose of the acquisition is to preserve the current open space and recreational uses of the property, including the ball field, and to permit the continued operation of the private Winston School, in keeping with the original dedicated intention. The Purchase Agreement includes a deed restriction which limits rezoning the property to a more intensive use.
3. The City Council expects that the property will remain status quo in use, condition, and operation, for at least a three year period.
4. The City's long term goal is to maximize the open space and recreational uses on the property. Although other public facilities are permitted under current zoning, the City Council has no intention of pursuing other uses not consistent with the purpose of the acquisition such as a new fire station or city hall.
5. The City entered into a Memorandum of Understanding with the Winston School dated February 21, 2006, to permit the School's continued operation for a 55 year period after acquisition.
6. Following purchase of the property, and in furtherance of the City's long term goal, the City will schedule public meetings to create a master planning process for the property. The master planning process will occur prior to any substantive changes to the status quo of the property.

PASSED AND ADOPTED by the City Council of the City of Del Mar, this 6th day August, 2007.



CARL HILLIARD, MAYOR
City of Del Mar

ATTEST AND CERTIFICATION:

I, Mercedes Martin, City Clerk of the City of Del Mar, California, DO HEREBY CERTIFY, that the foregoing is a true and correct copy of Resolution 2007- 35, adopted by the City Council of the City of Del Mar, California at a Regular Meeting held the 6th day of August, 2007, by the following vote:

AYES: Councilmembers Abarbanel, Crawford; Mayor Hilliard

NOES: None

ABSENT: Councilmember Earnest and Deputy Mayor Druker

ABSTAIN: None



MERCEDES MARTIN, CITY CLERK