

RESOLUTION NO. 242

RESOLVED: By the City Council of the City of Chula Vista, California That said City Council does hereby determine and declare that the public interest, convenience, welfare, necessity and health demand, require, make proper, and will be conserved by the purchase, for street purposes of said City only, of all those certain lots, pieces or parcels of land situate in the City of Chula Vista, County of San Diego, State of California, bounded and described as follows, to wit:

The Southerly 20 feet of the Easterly 682 feet of $\frac{1}{4}$ -Section 172, EXCEPTING therefrom the Easterly 20 feet, according to map No. 505, filed in the office of the County Recorder of San Diego County, State of California, March 13, 1888,

and said City Council does hereby authorize the purchase and does hereby purchase aforesaid lands and premises for said purposes from Tracy Brick & Art Stone Company for the following consideration to be paid therefor, by said purchaser, to wit:

- (1) Two Hundred and Fifty (\$250.00) dollars
- (2) Fence to be replaced, by purchaser at its own expense on property line in a good and workmanlike manner.
- (3) All City and County taxes on the portion of said property so purchased for the current year.
- (4) Any additional costs which might be connected with expense of such purchase, such as preparing papers, recording of same, certificate of title or any other costs which might be required by request of the City of Chula Vista for the purpose of clearing title thereto.
- (5) All costs and assessments of any nature that are assessed against such property of the Tracy Brick & Art Stone Company caused or occasioned by reason of any street improvement of 4 Street, (of which the aforesaid lands are bought to become a part) for a period of five (5) years from date hereof, providing however that in the event of the improvement of said street, within said time, and thereby subjecting the said grantor's said land liable to assessment therefor, the grantee herein shall not use, to pay any assessment that may be so levied, any sum in excess of the available

money in the treasury of said City that may be legally apportioned and appropriated for such purposes in any year.

(6) Said grantor reserves and to have a Right of Way for spur track on said premises to serve its property.

The said grantor shall furnish to said grantee a Grant Deed of said premises and a good legal title thereto free of all incumbrances.

The Mayor of said City of Chula Vista, the City Clerk thereof and any other officials of said City, who need so to do are hereby authorized, and directed to execute and deliver to said Tracy Brick & Art Stone Company for and on behalf of said City all necessary instruments in writing to consummate said purchase of said premises upon the terms aforesaid and to make, execute, sign and deliver to said Tracy Brick & Art Stone Company the City Warrant of said City in the sum of \$250.00 as part consideration of the purchase price of said premises, upon compliance with terms aforesaid by said Company and to do all matters incident to the purchase of said premises, upon the terms aforesaid.

Passed, adopted and approved by the City Council of the City of Chula Vista, California, this 16th day of April 1928, by the following vote to-wit;

AYES: COUNCILMEN, Barnes Peters Scott Lyons _____

NOES: COUNCILMEN, None _____

ABSENT: COUNCILMEN, Hawkins _____

ATTEST: W.S. Linnmore
City Clerk of the City of
Chula Vista, California.

W.S. Peters
Mayor of the City of Chula
Vista, California.

I hereby approve the foregoing resolution this 16th day of April 1928.

W.S. Peters
Mayor of the City of Chula
Vista, California.

I hereby certify that the above and foregoing Resolution was passed and adopted by the City Council of the said City of Chula Vista at the time and by the vote above stated and on such date approved by the Mayor as above stated.

W.S. Linnmore
City Clerk of the City of
Chula Vista, California.

