

RESOLUTION NO. \_\_\_\_\_

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
CHULA VISTA ORDERING THE SUMMARY VACATION OF  
THE IRREVOCABLE OFFER OF DEDICATION OF LOT "D"  
FOR PUBLIC PARK PURPOSES PER FINAL MAP NO.  
16081, CHULA VISTA TRACT NO. 09-03, OTAY RANCH  
MILLENNIA PHASE 2 (EASTERN URBAN CENTER)

WHEREAS, SLF IV – Millenia LLC, is the owner of the Millenia Development that consists of approximately 90% of the Eastern Urban Center (EUC) area, which is approximately 206.6 acres; and

WHEREAS, the Developer of the Millenia Development entered into an agreement with the City of Chula Vista on September 15, 2009 for the dedication and construction of parklands within the project (the "Parks Agreement"); and

WHEREAS, to date, Developer has irrevocably dedicated to the City a total of 12.92 acres of parkland; and

WHEREAS, an IOD of Lot "D" was acknowledged by the City of Chula Vista for Public Park Purposes as shown on Final Map No. 16081, filed in the Office of the County Recorder of San Diego County on December 28, 2015; and

WHEREAS, pursuant to the Parks Agreement, the Developer has an obligation of 12.88 acres of parkland; and

WHEREAS, a summary vacation of the Irrevocable Offer of Dedication in Fee Interest (IOD) of 0.04 acres of the existing 3.601 acres of Lot "D" of Final Map No. 16081 and a subsequent IOD for a newly reconfigured lot of 3.557 acres (the new configuration of Lot "D") will rectify the difference of 0.04 acres of over-dedicated parklands; and

WHEREAS, in accordance with Section 7050 of the California Government Code and Chapter 4, Section 8335 of the California Streets and Highways Code, the vacation of Lot "D" may be performed summarily through adoption of a resolution ordering said summary vacation; and

WHEREAS, in accordance with Section 7050 of the California Government Code, such offer of dedication may be terminated and the right to accept such offer abandoned; and

WHEREAS, the Director of Development Services has reviewed the proposed project for compliance with the California Environmental Quality Act (CEQA) and has determined that the project was adequately covered in previously adopted/certified Final Second Tier Environmental Impact Report (EIR 07-01) for the Otay Ranch Eastern

Urban Center (EUC) Sectional Planning Area (SPA) Plan. Thus, no further environmental review or documentation is required.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Chula Vista does hereby find:

- a) That the area proposed for vacation is excess park land which has been dedicated by the master developer which is not needed to fully implement the Millenia parks program and is not required to comply with the Millenia Parks Agreement.
- b) That the vacated land will become part of the adjacent apartment site and will be utilized in a manner which provides a better interface with the proposed residential development site to the south by improving the design for the entrance drive to include a row of palm trees with up lighting, which will be an enhancement to not only the residential project but for the public park site as well.
- c) That with the proposed vacation, the remaining park acreage in Millenia is fully consistent with adopted plans and agreements pertaining to the Millenia parks, and is consistent with the Millenia Parks Agreement which contemplates in Section 2.1(d) that minor adjustments to park boundaries may be approved by the City to improve the interface with adjacent development.
- d) That the remaining park site acreage has been determined to be sufficient to fully implement the park programming and facilities identified for this park in the adopted Millenia Urban Parks, Recreation, Trails and Open Space Master Plan.
- e) That the configuration of the lot has been superseded by relocation and that there are no public facilities located within the lot.

BE IT FURTHER RESOLVED that the City Council of the City of Chula Vista does hereby orders the summary vacation of Lot "D," according to map thereof No. 16081, incorporated herein by reference as if set forth in full.

Presented by:

Approved as to form by:

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Kelly G. Broughton, FASLA  
Director of Development Services

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Glen R. Googins  
City Attorney