

(RA-2002-26)

REDEVELOPMENT AGENCY OF

THE CITY OF SAN DIEGO

RESOLUTION NO. R-03378

ADOPTED ON SEPTEMBER 25, 2001

A RESOLUTION OF THE REDEVELOPMENT AGENCY OF THE CITY OF SAN DIEGO APPROVING THE FIRST AMENDMENT TO THE SECOND AMENDED AND RESTATED DISPOSITION AND DEVELOPMENT WITH ROUTE 252 JOINT VENTURE.

WHEREAS, the Redevelopment Agency of the City of San Diego [Agency] is engaged in activities necessary to carry out and implement the Redevelopment Plan for the Southcrest Redevelopment Project [Project]; and

WHEREAS, in order to carry out and implement the Redevelopment Plan, the Agency and Pacific Scene/Patrick Development and The V. Gordon Group [Developer] entered into a Disposition and Development Agreement, approved by Resolution No. 1878, adopted on July 31, 1990, as amended by an Amended and Restated Disposition and Development Agreement between the Agency and Pacific Scene, Inc. and Patrick Development, Ltd., approved by Resolution No. 2411 and adopted on August 9, 1994, a First Implementation Agreement to the Amended and Restated Disposition and Development Agreement between the Agency and Route 252 Joint Venture, which has Pacific Scene Properties, Inc., and Patrick Property Services, Inc. as the general partners, approved by Resolution No. 2651 and adopted on May 14, 1996, a

Second Implementation Agreement to the Amended and Restated Disposition and Development Agreement approved by Resolution No. 2683 and adopted on October 1, 1996, a Third Implementation Agreement to the Amended and Restated Disposition and Development Agreement approved by Resolution No. 2709 and adopted on January 14, 1997, and a Second Amended Disposition and Development Agreement, approved by Resolution No. 3126 and adopted on March 14, 2000, [collectively the DDA], regarding the sale, acquisition and development of certain real property [Original Site], a copy of each Agreement is on file in the office of the Secretary to the Agency; and

WHEREAS, the Agency has negotiated a proposed First Amendment to the Second Amended Disposition and Development Agreement [First Amendment] and the Agency proposes to enter in the First Amendment with the Developer; and

WHEREAS, the Developer has submitted to the Agency copies of the proposed First Amendment in a form desired by the Developer; and

WHEREAS, the Board of Directors for Southeastern Economic Development Corporation has reviewed and discussed the proposed First Amendment and has recommended that the Agency approve and enter into the First Amendment; and

WHEREAS, the Agency has duly considered all terms and conditions of the proposed First Amendment, and believes that the conditions contained in the proposed First Amendment are in the best interest of the City and the health, safety, morals and welfare of its residents, and

in accord with the public purposes and provisions of applicable state and local law, and requirements; NOW, THEREFORE,

BE IT RESOLVED, by the Redevelopment Agency of the City of San Diego, as follows:

1. That the Agency recognizes that it has received and heard all oral and written objections to the proposed First Amendment to the Second Amended Disposition and Development Agreement with the Developer, and to other matters pertaining to this transaction, and that all the oral and written objections are hereby overruled.

2. That the Executive Director of the Agency, or designee, is authorized to execute, for and on behalf of the Agency, the First Amendment to the Second Amended Disposition and Development Agreement between the Agency and the Developer, which is on file in the office of the secretary to the Agency as Document No. D-03378.

APPROVED: CASEY GWINN, General Counsel

By:

Elisa A. Cusato
Deputy General Counsel

EAC:ai

9/14/01

Or.Dept:SEDC

Aud.Cert:n/a

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Council:R-Council Reso Tracking # or N/An/a

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