

(RA-2002-112)

REDEVELOPMENT AGENCY OF
THE CITY OF SAN DIEGO
RESOLUTION NO. R-03459
ADOPTED ON APRIL 23, 2002

A RESOLUTION OF THE REDEVELOPMENT AGENCY OF THE CITY OF SAN DIEGO APPROVING THE SECOND IMPLEMENTATION AGREEMENT TO THE DISPOSITION AND DEVELOPMENT AGREEMENT BETWEEN THE REDEVELOPMENT AGENCY OF THE CITY OF SAN DIEGO AND BELLA VIA ASSOCIATES, LLC FOR THE BELLA VIA PROJECT.

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

WHEREAS, in order to carry out and implement the Redevelopment Plan, the Agency has entered into a Disposition and Development Agreement [DDA] dated July 14, 2000, which is on file of the Office of the Secretary to the Agency as Document No. D-03186 with Bella Via Associates, LLC [Developer] and the First Implementation Agreement to the DDA, dated July 7, 2001, and on file in the Office of the Secretary to the Agency as Document No. D-03333, with Bella Via Associates, LLC [together referred to as the Agreement]; and

WHEREAS, in order to further implement the Development under the Agreement, the Agency and Developer propose, pursuant to the terms and provisions of the proposed Second Implementation Agreement, to amend the Agreement to revise the Schedule of Performance,

the Scope of Development, and the Method of Financing, and to make other changes deemed appropriate by the parties; and

WHEREAS, the Developer has submitted to the Agency copies of the proposed Second Implementation Agreement in a form desired by the Developer; and

WHEREAS, Centre City Development Corporation, Inc. [CCDC], has reviewed and discussed the proposed Second Implementation Agreement, and has recommended that the Agency enter into the Second Implementation Agreement; and

WHEREAS, the Agency has duly considered the recommendations of CCDC and all terms and conditions of the Second Implementation Agreement and believes that the changes contained therein are in the best interests 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 it approves the Second Implementation Agreement with Bella Via Associates, LLC.
2. That the Executive Director of the Agency, or designee, is authorized, for and on behalf of the Agency, to execute the Second Implementation Agreement and to administer the Agency's obligations, responsibilities, and duties to be performed under the Agreement. A copy of the Second Implementation Agreement, when executed, shall be placed on file in the Office of the Secretary to the Agency as Document No. D-03459.

APPROVED: CASEY GWINN, General Counsel

By

Deborah Engel
Deputy General Counsel

DE:lc
03/22/02
Or.Dept:CCDC
Aud.Cert:N/A
RA-2002-112
Council:N/A
Form=rda&t-comp.frm