

(RA-2003-10)

REDEVELOPMENT AGENCY OF

THE CITY OF SAN DIEGO

RESOLUTION NO. R-03496

ADOPTED ON JULY 9, 2002

A RESOLUTION OF THE REDEVELOPMENT AGENCY OF THE CITY OF
SAN DIEGO APPROVING THE SECOND 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, the Southeastern Economic Development Corporation [SEDC] is
responsible for implementing redevelopment in the 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, a Second Amended Disposition and Development Agreement, approved by Resolution No. 3126 and adopted on March 14, 2000, and a First Amendment to the Second Amended and Restated Disposition and Development Agreement approved by Resolution No. R-03378 and adopted on September 25, 2001, [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 Second Amendment to the Second Amended Disposition and Development Agreement [Second Amendment] and the Agency proposes to enter into the Second Amendment with the Developer; and

WHEREAS, the Developer has submitted to the Agency copies of the proposed Second 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 Second Amendment and has recommended that the Agency approve and enter into the Second Amendment; and

WHEREAS, the Agency has duly considered all terms and conditions of the proposed Second Amendment, and believes that the conditions contained in the proposed Second 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 Second 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 proposed Second Amendment to the Second Amended Disposition and Development Agreement is approved.

3. That the Executive Director of the Agency, or designee, is authorized to execute, for and on behalf of the Agency, the Second 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-03496.

APPROVED: CASEY GWINN, General Counsel

By:

Deborah Engel-Brodie
Deputy General Counsel

DEB:pev:cdk
06/21/02
Or.Dept:SEDC
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