

REDEVELOPMENT AGENCY OF
THE CITY OF SAN DIEGO
RESOLUTION NUMBER R-03821
ADOPTED ON SEPTEMBER 14, 2004

A RESOLUTION OF THE REDEVELOPMENT AGENCY OF
THE CITY OF SAN DIEGO APPROVING THE OWNER
PARTICIPATION AGREEMENT BETWEEN THE AGENCY
AND OAK SHELTER SYSTEMS, LLC FOR THE
DEVELOPMENT OF A MIXED-USE APARTMENT AND
CHURCH PROJECT IN THE CENTRE CITY
REDEVELOPMENT PROJECT.

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 Centre City Redevelopment Project [Project]; and has adopted an Implementation Plan for the Centre City Redevelopment Project in accordance with California Health and Safety Code Section 33490 [Implementation Plan]; and

WHEREAS, in order to carry out and implement such Redevelopment Plan, the Agency proposes to enter into an Owner Participation Agreement [Agreement] with Oak Shelter Systems, LLC [Developer], pursuant to which the Developer proposes to develop and construct a mixed-use apartment and church project, on an 20,000 square-foot site generally located on the southern end of the block bounded by 13th, 14th and Market streets and Island Avenue in the Centre City Redevelopment Project [Site], pursuant to the terms and provisions of the Agreement; and

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

WHEREAS, the Centre City Development Corporation, Inc., has reviewed and discussed said Agreement, and has recommended that the City Council approve and the Agency enter into the Agreement; and

WHEREAS, the Agency has duly considered all terms and conditions of the proposed Agreement and believes that the development of the real property pursuant to the proposed Agreement is 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:

i) The Agency recognizes that it has received and heard all oral and written objections to the proposed Owner Participation Agreement and to other matters pertaining to this transaction, and that all such oral and written objections are hereby overruled.

ii) The Agency hereby finds and determines that the development of the Site will assist in the elimination of blight in the Centre City Redevelopment Project Area, and is consistent with the Implementation Plan.

iii) The Owner Participation Agreement, which establishes the terms and conditions for the development of the real property, is hereby approved.

iv) The Executive Director of the Agency, or his designee, is hereby authorized to execute the Owner Participation Agreement on behalf of the Agency. A copy of the Agreement,

when executed by the Agency, shall be placed on file in the office of the secretary of the Agency as Document No. D-03821.

v) The Executive Director of the Agency, or his designee, is hereby authorized, on behalf of the Agency, to sign all documents necessary and appropriate to carry out and implement the Agreement and to administer the Agency's obligations, responsibilities and duties to be performed under said Agreement.

APPROVED: CASEY GWINN, General Counsel

By _____
Douglas K. Humphreys
Deputy Counsel

DKH:ai
08/31/04
Or.Dept:CCDC
Aud.Cert:n/a
RA-2005-32
Council:n/a