

REDEVELOPMENT AGENCY OF  
THE CITY OF SAN DIEGO  
RESOLUTION NUMBER R-03856  
ADOPTED ON NOVEMBER 30, 2004

A RESOLUTION OF THE REDEVELOPMENT AGENCY OF  
THE CITY OF SAN DIEGO APPROVING THE SALE OF  
CERTAIN PROPERTY LOCATED GENERALLY AT THE  
BLOCK BOUNDED BY NINTH AVENUE, TENTH AVENUE, J  
STREET AND K STREET IN THE CENTRE CITY  
REDEVELOPMENT PROJECT AREA TO EAST VILLAGE  
LLC; APPROVING THE DISPOSITION AND DEVELOPMENT  
AGREEMENT PERTAINING THERETO; AND MAKING  
CERTAIN FINDINGS WITH RESPECT TO SUCH SALE.

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

WHEREAS, in order to carry out and implement such Redevelopment Plan the Agency  
proposes to sell certain property [Right Field Development Parcel] located generally at the block  
bounded by Ninth Avenue, Tenth Avenue, J Street and K Street in the Project area to East  
Village Square LLC, a Delaware limited liability company [Developer], pursuant to the terms  
and provisions of a certain Disposition and Development Agreement [Agreement], which  
Agreement contains a description of the Right Field Development Parcel and provides for the  
construction on the Right Field Development Parcel, of a mixed use project containing  
approximately 247,367 square feet of office space and approximately 75,273 square feet of retail  
space; and

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

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

WHEREAS, pursuant to the California Community Redevelopment Law (California Health and Safety Code, sections 33000, *et seq.*) this Agency and the City Council held a joint public hearing on the proposed sale of such real property pursuant to such Agreement; having duly published notice of such public hearing and made copies of the proposed Agreement and other reports and documents available for public inspection and comment; and

WHEREAS, the Agency has duly considered all terms and conditions of the proposed sale of real property 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; and

WHEREAS, because the building sizes and envelopes proposed in the East Village Square Master Plan were different from those analyzed in the Final Subsequent Environmental Impact Report to the Final Master Environmental Impact Report for the Centre City Redevelopment Project and Addressing the Centre City Community Plan and Related Documents for the Proposed Ballpark and Ancillary Development Projects, and Associated Plan Amendments (FSEIR), an Addendum to the FSEIR was prepared and certified on December 2,

2003 by the City Council and Redevelopment Agency at the time the East Village Square Master Plan was adopted; and

WHEREAS, the development of the real property pursuant to the proposed Agreement is consistent with the adopted East Village Square Master Plan and no further environmental review or certification is required.

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

1. The Agency recognizes that it has received and heard all oral and written objections to the proposed Disposition and Development Agreement, to the proposed sale of the real property pursuant to the proposed Agreement, and to other matters pertaining to this transaction, and that all such oral and written objections are hereby overruled.

2. The Agency hereby finds and determines that the sale of the real property pursuant to the proposed Agreement will assist in the elimination of blight within the Project area, and is consistent with the Implementation Plan for the Centre City Redevelopment Project adopted pursuant to section 33490 of the California Community Redevelopment Law.

3. The Agency hereby finds and determines that the consideration to be paid by the Developer for the sale of the real property as described in the Agreement is not less than the fair reuse value and fair market price at the use and with the covenants and conditions and development costs authorized by the sale.

4. The sale of the real property and the Disposition and Development Agreement which establishes the terms and conditions for the sale and development of the real property are hereby approved.

5. The Executive Director of the Agency (or his designee) is hereby authorized to execute the Disposition and Development Agreement on behalf of the Agency, provided that the City Council has first approved such Agreement and the sale of the real property pursuant thereto. 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-03856.

6. 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  
09/14/04  
Or.Dept:CCDC  
Aud.Cert:n/a  
RA-2005-41  
Council:R-2005-288