

REDEVELOPMENT AGENCY OF
THE CITY OF SAN DIEGO

RESOLUTION NUMBER R- 04254

DATE OF FINAL PASSAGE APR 23 2008

A RESOLUTION OF THE REDEVELOPMENT AGENCY OF THE CITY OF SAN DIEGO APPROVING THE PAYMENT AGREEMENT WITH THE OLD GLOBE THEATRE FOR PAYMENT OF ADDITIONAL PURCHASE PRICE FOR 5335 MARKET STREET AND AUTHORIZING EXECUTION THEREOF.

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 Central Imperial Redevelopment Project (the "Project"); and

WHEREAS, the Southeastern Economic Development Corporation ("SEDC"), on behalf of the Agency, previously purchased a 4-acre site at 54th and Market Streets that included a 42,000 square foot building and 2 vacant acres; and

WHEREAS, the entire site was subsequently sold with certain requirements in the Grant Deed to require, among other things, that an "Additional Purchase Price" shall be paid to the Agency upon the removal of the subject property or any portion thereof, from the San Diego County Property Tax Rolls; and

WHEREAS, in August 2007 the 42,000 square foot building was purchased by the Old Globe Theatre with the primary use being the construction of stage sets; and

WHEREAS, in September 2007 the Old Globe Theatre notified the Southeastern Economic Development Corporation ("SEDC"), on behalf of the Agency, of its intent to avail

itself of certain county property tax exemptions, thus triggering the afore-mentioned requirement to pay the “Additional Purchase Price”; and

WHEREAS, the “Additional Purchase Price” has been calculated at \$257,059; and

WHEREAS, in furtherance of the objectives of the Project the Agency now wishes to enter into a Payment Agreement with the Old Globe Theatre; NOW, THEREFORE,

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

1. That the Payment Agreement by and between the Redevelopment Agency of the City of San Diego and the Old Globe Theatre is hereby approved, and the Executive Director of the Agency, or designee, is hereby authorized to execute, for and on behalf of the Agency, said Payment Agreement, a copy of which is on file in the office of the Secretary to the Agency as Document No. 04254

2. That pursuant to said Payment Agreement, the Old Globe Theatre will pay to the Agency the sum of Two Hundred Fifty Seven Thousand Fifty-Nine Dollars (\$257,059) as an “Additional Purchase Price” in accordance with the Method of Financing, Attachment No. 2 of the Disposition and Development Agreement and Paragraph 3(c) of that certain Grant Deed dated May 17, 2001 as Document No. 2001-0322014 conveying fee title of the Property to TayRad; pursuant to which such payment obligation has been assumed by the Old Globe Theatre in accordance with that certain Grant Deed dated July 25, 2007 and recorded with the San Diego County Recorder’s Office on August 6, 2007 as Document No 2007-052-3120.

3. That pursuant to said Payment Agreement, this “Additional Purchase Price” shall be due and payable to the Agency not later than the date on which the Property or any portion thereof is removed from the San Diego County Property Tax Rolls by any owner of the Property.

4. That pursuant to said Payment Agreement, the Old Globe Theatre hereby agrees to pay this "Additional Purchase Price" to the Agency as follows:

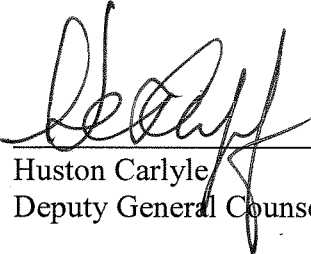
(a) For a period of ten (10) years following the execution of this Payment Agreement by the Agency (the "Payment Term"), the Old Globe Theatre shall pay an annual sum of Twenty-Five Thousand Seven Hundred Five Dollars and Ninety Cents (\$25,705.90) (the "Installment Payment").

(b) During the Payment Term, the Old Globe Theatre shall also annually provide certain off-site educational and training programs, subject to prior approval by SEDC, within the SEDC sphere of influence as depicted on the Property Map, which is attached hereto as Exhibit "B".

(c) Except as otherwise provided herein, payment of the "Additional Purchase Price" by the Old Globe Theatre shall be interest free.

BE IT FURTHER RESOLVED, that this activity is not a "project" and is therefore exempt from CEQA pursuant to the State Guidelines Section 15060(c)(3).

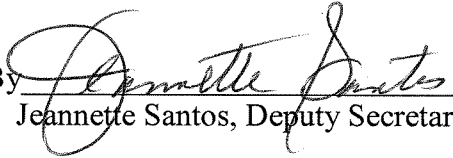
APPROVED: MICHAEL J. AGUIRRE, General Counsel

By  _____
Huston Carlyle
Deputy General Counsel

HC:cfq
03/12/08
Or.Dept:SEDC
Aud.Cert:
RA-2008-91
MMS#6007

I hereby certify that the foregoing Resolution was passed by the Redevelopment Agency of the City of San Diego, at its meeting of APR 15 2008.

REDEVELOPMENT AGENCY

By 
Jeannette Santos, Deputy Secretary

Approved: 4-23-08
(date)


JERRY SANDERS, Executive Director

Vetoed: _____
(date)

JERRY SANDERS, Executive Director

Passed by the Redevelopment Agency of The City of San Diego on APR 15 2008, by the following vote:

Agency Members	Yeas	Nays	Not Present	Ineligible
Scott Peters	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kevin Faulconer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Toni Atkins	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Anthony Young	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Brian Maienschein	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Donna Frye	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jim Madaffer	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Ben Hueso	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Date of final passage APR 23 2008

AUTHENTICATED BY:

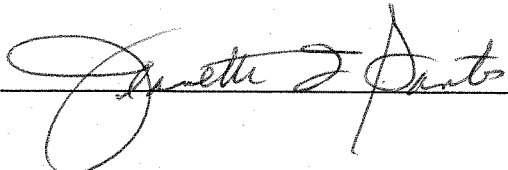
JERRY SANDERS

Executive Director of The City of San Diego, California.

(Seal)

ELIZABETH S. MALAND

Secretary of The City of San Diego, California.

By , Deputy

Office of the Redevelopment Agency, San Diego, California.

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