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Item 4 Op RA July 12/2010  
(RA-2009-51)*

REDEVELOPMENT AGENCY OF  
THE CITY OF SAN DIEGO

RESOLUTION NUMBER R- 04360

DATE OF FINAL PASSAGE DEC 15 2008

A RESOLUTION OF THE REDEVELOPMENT AGENCY OF THE CITY OF SAN DIEGO APPROVING THE REVISED BASIC CONCEPT AND SCHEMATIC DRAWINGS SUBMITTED BY CITY HEIGHTS REALTY, LLC (AS ASSIGNEE) RELATING TO THE DISPOSITION AND DEVELOPMENT AGREEMENT, AS AMENDED, FOR THE PROPOSED CITY HEIGHTS SQUARE MIXED-USE RESIDENTIAL/COMMERCIAL PROJECT LOCATED WITHIN THE CITY HEIGHTS REDEVELOPMENT PROJECT AREA.

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 City Heights Redevelopment Project Area [Project Area]; and

WHEREAS, in order to carry out and implement the objectives of the Redevelopment Plan for the Project Area, the Agency entered into, and the Council of the City of San Diego [Council] approved, a Disposition and Development Agreement [DDA] with San Diego Revitalization Corporation, a California non-profit public benefit corporation, on or about May 3, 2005, for the development of an office and retail project; a copy of the DDA is on file in the office of the City Clerk as Document No. RR-300383; and

WHEREAS, San Diego Revitalization Corporation subsequently changed its name to Price Charities and the Agency thereafter entered into a First Implementation Agreement to the DDA with Price Charities, a California non-profit public benefit corporation, on or about December 3, 2007, to primarily extend certain performance deadlines and make other necessary

changes to the DDA; a copy of the First Implementation Agreement to the DDA is on file in the office of the secretary of the Agency as Document No. D-04225 / R-04225; and

WHEREAS, Price Charities assigned all of its rights and obligations under the DDA, as amended, the DDA Attachments, and other documents executed pursuant to the DDA including, without limitation, the Loan Agreement dated May 10, 2005, the Promissory Note dated May 10, 2005, and the Pledge Agreement dated May 10, 2005, to City Heights Realty, LLC, a California limited liability company [Developer], which accepted the assignment and assumed all rights and obligations thereunder pursuant to an Assignment and Assumption Agreement dated November 20, 2008; and

WHEREAS, in order to revise the description of the project and to make other necessary changes to the DDA, as amended, the Agency, concurrently herewith, approved a Second Implementation Agreement to the DDA with the Developer which provides for the development and construction of a mixed-use residential/commercial project that will provide ninety-two (92) residential apartments, of which 14 apartments will be designated by the Developer for not less than fifty-five (55) years as affordable to very low and low income households earning 50% to 65% of the Area Median Income, with retail and office space, and two (2) levels of subterranean parking [Project]; and

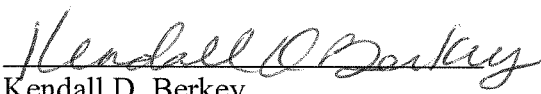
WHEREAS, pursuant to the original DDA, San Diego Revitalization Corporation submitted to the Agency basic concept and schematic drawings pertaining to the prior project; and

WHEREAS, in connection with the Second Implementation Agreement to the DDA, the Developer has now submitted to the Agency revised basic concept and schematic drawings pertaining to the Project; and

WHEREAS, the development and implementation of the Project, as amended by the Second Implementation Agreement to the DDA, is in the best interests of the City of San Diego 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 that the revised basic concept and schematic drawings are hereby approved; a copy of the revised basic concept and schematic drawings shall be placed on file in the office of the secretary of the Agency as Document No. D- 04360

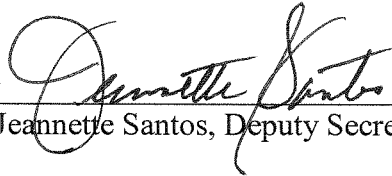
APPROVED: MICHAEL J. AGUIRRE, General Counsel

By   
Kendall D. Berkey  
Deputy General Counsel

KDB:nda  
11/20/08  
Or.Dept:Redev.Agency  
RA-2009-51  
MMS#7098  
Comp. R-2009-698  
R-2009-704  
RA-2009-50  
RA-2009-52

I hereby certify that the foregoing Resolution was passed by the Redevelopment Agency of the City of San Diego, at this meeting of DEC 02 2008.

REDEVELOPMENT AGENCY

By   
Jeannette Santos, Deputy Secretary

Approved: 12-15-08  
(date)

  
JERRY SANDERS, Executive Director

Vetoed: \_\_\_\_\_  
(date)

\_\_\_\_\_  
JERRY SANDERS, Executive Director

Passed by the Redevelopment Agency of The City of San Diego on DEC 02 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ben Hueso	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage DEC 15 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 *Jamelle Pardo*, Deputy

Office of the Redevelopment Agency, San Diego, California

Resolution Number R-04360