

REDEVELOPMENT AGENCY OF

THE CITY OF SAN DIEGO

RESOLUTION NO. 2911

ADOPTED ON NOVEMBER 24, 1998

A RESOLUTION OF THE REDEVELOPMENT AGENCY OF THE CITY OF SAN DIEGO APPROVING THE SALE OF CERTAIN PROPERTY IN THE SOUTHCREST REDEVELOPMENT PROJECT AREA TO THE CITY OF SAN DIEGO FOR THE DEVELOPMENT OF THE FATHER BROCKHAUS PARK; APPROVING THE COOPERATION AGREEMENT PERTAINING THERETO; AND MAKING CERTAIN FINDINGS WITH RESPECT TO THE 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 Southcrest Redevelopment Project [Project]; and

WHEREAS, in order to carry out and implement the Redevelopment Plan, the Agency has negotiated a proposed Cooperation Agreement [Agreement] with The City of San Diego for the sale of real property in the Project area for the development of the Father Brockhaus Park [Park] on the western end of the 252 Corridor and the Agency proposes to enter into the Agreement with the City; and

WHEREAS, pursuant to the Agreement, the Agency proposes to sell certain property as described in the Agreement in the Project area to the City for the development of the Park; and

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

WHEREAS, the Board of Directors for the Southeastern Economic Development Corporation, Inc., has reviewed and discussed the proposed Agreement and has recommended

that the Council and the Agency enter into the Agreement; and

WHEREAS, pursuant to the California Community Redevelopment Law (California Health and Safety Code section 33000 et seq.), the Agency and the Council held a joint public hearing on the proposed sale of the real property pursuant to the Agreement; having duly published notice of the public hearing and made copies of the proposed Agreement, and other reports and documents (including the summary provided for in California Health and Safety Code section 33433) 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 redevelopment of the real property pursuant to the proposed Agreement is in the best interest of the City and 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 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 the oral and written objections are overruled.

2. That the Agency finds and determines that the sale of the real property for the development of the Park, as described in the Agreement, will assist in the elimination of blight.

3. That the Agency finds and determines that the consideration to be paid by The City of San Diego for the purchase of the real property for the development of the Park is not less than fair market value in accordance with the covenants and conditions governing the purchase as set forth in the Agreement. The Agency further finds and determines that all

consideration to be paid under the Agreement is in an amount necessary to effectuate the purposes of the Redevelopment Plan for the Project.

4. That the sale of the real property and the Agreement which establishes the terms and conditions for the sale and development of the real property are approved.

5. That the Executive Director of the Agency, or designee, is authorized to execute the Agreement, on behalf of the Agency, provided that the Council has first approved the Agreement and the sale of 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 to the Agency as Document No. D-02911a.

6. That the Executive Director of the Agency, or designee, is 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 the Agreement.

7. That as part of the consideration paid for the purchase of the property the Agency agrees to transfer an amount not to exceed \$500,000 of the estimated development cost to facilitate the improvements of the Park.

8. That the Executive Director of the Agency, or designee, is authorized to execute, on behalf of the Agency, a grant deed to the City for the real property site located between 38th Street and Birch Streets, south and west of Chollas Creek, for the development of the Park. A copy of the Grant Deed is on file in the office of the Secretary to the Agency as Document No. D-02911b.

APPROVED: CASEY GWINN, General Counsel

By  
Douglas K. Humphreys

Deputy General Counsel

DKH:lc

10/26/98

Or.Dept:SEDC

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