

(RA-86-64)

REDEVELOPMENT AGENCY OF

THE CITY OF SAN DIEGO

RESOLUTION NO. 1204

ADOPTED ON OCTOBER 22, 1985

A RESOLUTION OF THE REDEVELOPMENT AGENCY OF  
THE CITY OF SAN DIEGO APPROVING THE SALE OF  
CERTAIN PROPERTY IN THE GATEWAY CENTER WEST  
(DELLS) REDEVELOPMENT PROJECT AREA TO WHITAKER  
INVESTMENT CORPORATION; 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  
(the "Agency") is engaged in activities necessary to carry out  
and implement the Redevelopment Plan for the Gateway Center West  
(adopted as the "Dells") Redevelopment Project (the "Project");  
and

WHEREAS, in order to carry out and implement such

Redevelopment Plan the Agency has negotiated a proposed Disposition and Development Agreement with Whitaker Investment Corporation (the "Developer") for the sale of real properties in the Project area for the development and construction of clean, light-industrial facilities of about 43,000 sq. ft., and the Agency proposes to enter into the Disposition and Development Agreement (the "Agreement") with the Developer; and

WHEREAS, pursuant to the Agreement the Agency proposes to sell certain property as described in the Agreement in the Project area to the Developer for the construction thereon of the facilities; and

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

WHEREAS, the Southeast Economic Development Corporation, Inc., has reviewed and discussed said proposed Agreement and has recommended that the Council approve 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 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 (including the summary provided for in 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. 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 such oral and written objections are hereby overruled.

2. The Agency hereby finds and determines that the consideration to be paid by the Developer for the purchase of the real property upon which the clean, light-industrial facilities of about 43,000 sq. ft. are to be developed and constructed is

not less than fair market value in accordance with the covenants and conditions governing such purchase as set forth in the Agreement. The Agency hereby further finds and determines that all consideration to be paid under the Agreement is in amounts necessary to effectuate the purposes of the Redevelopment Plan for the Project.

3. 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 hereby approved.

4. The Chairman of the Agency is hereby authorized to execute the Agreement on behalf of the Agency, provided that the Council has first approved such agreement and the sale of real property pursuant to such Agreement. 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. 1260.

5. The Executive Director of the Agency, or his designee, is hereby authorized, on behalf of the Agency, to sign all documents (including but not limited to the grant deed) 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.

APPROVED: John W. Witt, General Counsel

By

Janis Sammartino Gardner

Deputy Counsel

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10/14/85

Or.Dept:SEDC

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