

(RA-93-22)
REDEVELOPMENT AGENCY OF
THE CITY OF SAN DIEGO
RESOLUTION NO. 2131
ADOPTED ON AUGUST 11, 1992

A RESOLUTION OF THE REDEVELOPMENT AGENCY OF
THE CITY OF SAN DIEGO TERMINATING THE
DISPOSITION AND DEVELOPMENT AGREEMENT BETWEEN
THE REDEVELOPMENT AGENCY AND ROGER MORRIS
PLAZA, LTD., DEVELOPER.

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 Marina Redevelopment Project; and

WHEREAS, in order to carry out and implement such Redevelopment Plan, the Agency entered into a Disposition and Development Agreement dated June 22, 1989, a First Implementation Agreement dated November 6, 1989, a Second Implementation Agreement dated February 27, 1990, a Third Implementation Agreement dated February 8, 1991, and a Fourth Implementation Agreement dated September 13, 1991 (collectively known as the "Agreement") with Roger Morris Plaza, a California limited partnership ("Developer"); and

WHEREAS, the Developer delivered to the Agency a good faith deposit in the amount of Fifty Thousand Dollars (\$50,000.00) as security for the performance of the Developer's obligations to be performed prior to the return of the deposit to the Developer, or its retention by the Agency as minimum damages; and

WHEREAS, the Agency proposes to terminate said Agreement due to Developer's failure to comply with Article 500 of the Disposition and Development Agreement and Section 400 of the Fourth Implementation Agreement thereto; NOW, THEREFORE,

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

1. That the Disposition and Development Agreement dated June 22, 1989, together with the First Implementation Agreement dated November 6, 1989, a Second Implementation Agreement dated February 27, 1990, a Third Implementation Agreement dated February 8, 1991, and a

Fourth Implementation Agreement dated September 13, 1991, is hereby terminated.

2. That the \$50,000.00 good faith deposit is hereby retained by the Agency as minimum damages.

3. That the Executive Director of the Agency, or his designee, is hereby authorized, on behalf of the Agency, to sign any documents necessary and appropriate to carry out termination of the Agreement.

APPROVED: JOHN W. WITT, General Counsel

By

Allisyn L. Thomas

Deputy Counsel

ALT:lc

08/05/92

Or.Dept:CCDC

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