

(RA-93-66)
REDEVELOPMENT AGENCY OF
THE CITY OF SAN DIEGO
RESOLUTION NO. 2191
ADOPTED ON FEBRUARY 9, 1993

A RESOLUTION OF THE REDEVELOPMENT AGENCY OF
THE CITY OF SAN DIEGO APPROVING THE FIFTH
IMPLEMENTATION AGREEMENT TO THE DISPOSITION
AND DEVELOPMENT AGREEMENT BETWEEN THE
REDEVELOPMENT AGENCY OF THE CITY OF SAN DIEGO
AND TUTOR-SALIBA TARIAM ASSOCIATES, A
CALIFORNIA LIMITED PARTNERSHIP ("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 Sub Area of the Centre City Redevelopment Project (the "Project"); and

WHEREAS, in order to carry out and implement such Redevelopment Plan, the Agency has theretofore entered into that certain Disposition and Development Agreement (the "DDA") dated September 19, 1990, as amended by a First Implementation Agreement dated April 10, 1991, a Second Implementation Agreement dated June 17, 1991, a Third Implementation Agreement dated June 17, 1991, and a Fourth Implementation Agreement dated September 16, 1992 (collectively with this Fifth Implementation Agreement referred to herein as the "Agreement"); and

WHEREAS, in order to further implement the development under said Agreement, the Agency and the Developer propose (pursuant to the terms and conditions of the Fifth Implementation Agreement) to transfer the Developer's interest in this Agreement to Tutor-Saliba Properties, Inc., to revise the Schedule of Performance of the Agreement, and to make certain other changes deemed appropriate by the parties; and

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

WHEREAS, Centre City Development Corporation, Inc., has reviewed and discussed the proposed Fifth Implementation Agreement and has

recommended that the Agency enter into the Fifth Implementation Agreement; and

WHEREAS, the Agency has duly considered all terms and conditions of the proposed Fifth Implementation Agreement and believes that the changes contained in the proposed Fifth Implementation Agreement are in the best interest of the City 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, as follows:

1. That the proposed Fifth Implementation Agreement and the terms and conditions thereof are hereby approved.

2. That the Executive Director of the Agency, or his designee, is hereby authorized to execute for and on behalf of the Agency, the Fifth Implementation Agreement. A copy of the Fifth Implementation Agreement is on file in the office of the Secretary to the Agency as Document No. 2004.

3. That the Executive Director of the Agency, or his designee, is hereby authorized, on behalf of the Agency, to sign all documents necessary and appropriate to carry out and implement the Fifth Implementation Agreement and to administer the Agency's obligations, responsibilities and duties to be performed under the Fifth Implementation Agreement.

APPROVED: JOHN W. WITT, General Counsel

By

Allisyn L. Thomas

Deputy Counsel

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Or.Dept:CCDC

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