

(RA-98-27)

REDEVELOPMENT AGENCY OF

THE CITY OF SAN DIEGO

RESOLUTION NO. 2797

ADOPTED ON DECEMBER 2, 1997

A RESOLUTION OF THE REDEVELOPMENT AGENCY OF THE CITY OF SAN DIEGO APPROVING THE OWNER PARTICIPATION AGREEMENT BETWEEN THE REDEVELOPMENT AGENCY AND SANTOSH ARYA, AND MAKING CERTAIN FINDINGS WITH RESPECT TO THE APPROVAL OF THE AGREEMENT.

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 Central Imperial Redevelopment Project (the "Project"); and

WHEREAS, in order to carry out and implement the Redevelopment Plan the Agency has negotiated a proposed Owner Participation Agreement (the "Agreement") with Santosh Arya (the "Participant") for the development and construction of 1,570 square feet of commercial uses, consisting of a gas station, carwash, and mini-mart, on a 0.5 acre site, and the Agency proposes to enter into the Agreement with the Participant; and

WHEREAS, pursuant to the Agreement the Agency proposes to waive its legal right to acquire by eminent domain all or any

part of the Participant's property as described in the Agreement;
and

WHEREAS, the Participant has executed and submitted to the Agency copies of the proposed Agreement in a form desired by the Participant; 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 Agency enter into the Agreement; and

WHEREAS, the Agency has duly considered all terms and conditions of the proposed Agreement and believes that the redevelopment of the real property, pursuant to the Agreement, is in the best interests 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 Agency recognizes that it has received and heard all oral and written objections to the proposed Agreement, and to other matters pertaining to this transaction, and that all such oral and written objections are overruled.

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

3. That the Agreement which establishes the terms and conditions for the development and construction of the Participant's real property is approved.

4. That the Executive Director of the Agency, or designee, is authorized to execute the Agreement on behalf of the Agency. 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-02797.

5. 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.

APPROVED: CASEY GWINN, General Counsel

By

Allisyn L. Thomas
Deputy General Counsel

ALT:lc

11/17/97

Or.Dept:SEDC

Aud.Cert:N/A

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