

(RA-98-88)

REDEVELOPMENT AGENCY OF

THE CITY OF SAN DIEGO

RESOLUTION NO. 2854

ADOPTED ON JUNE 30, 1998

A RESOLUTION OF THE REDEVELOPMENT AGENCY OF
THE CITY OF SAN DIEGO APPROVING THE PURCHASE
OF CERTAIN PROPERTY IN THE COLLEGE GROVE
REDEVELOPMENT PROJECT AREA AND MAKING CERTAIN
FINDINGS WITH RESPECT TO SUCH PURCHASE.

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 College Grove Redevelopment Project (the "Project"); and

WHEREAS, in order to carry out and implement such Redevelopment Plan, the Agency proposes to purchase certain property in the Project Area owned by DP Partnership (the "Seller") which property will be utilized for purposes within the powers of the Agency and as necessary to implement the Project, including, but not limited to, widening of College Avenue; and

WHEREAS, the Agency has previously prepared and certified an Addendum to an Environmental Impact Report (EQD No. 87-0179 Addendum to EIR No. 85-0747, SCH No. 85111309; the "AEIR") which, among other things, reviewed and considered the widening of College Avenue in connection with the environmental impacts

of redevelopment of the College Grove Shopping Center and determined that such activity would improve traffic conditions within the Project Area; and

WHEREAS, Seller has agreed to the sale of the property subject to the terms and conditions of a purchase agreement, submitted to this Agency in a form desired by Seller (the "Purchase Agreement"); and

WHEREAS, the City Redevelopment Program has reviewed and discussed the proposed Purchase Agreement and has recommended that the Agency enter into the Agreement; and

WHEREAS, the AEIR was considered by the Agency at its consideration of the Purchase Agreement, and, as a result of the statements in the AEIR, no negative declaration or subsequent environmental impact report or supplement or addendum to the AEIR was prepared with respect to the Purchase Agreement; and

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

2. That the Agency hereby finds and determines that no negative declaration, or subsequent environmental impact report, or supplement or addendum to the AEIR is necessary or required.

3. That the Agency hereby finds and determines that the consideration to be paid to the Seller for the purchase of the real property described in the Purchase Agreement is not more than fair market value in accordance with the covenants and conditions governing such sale and purchase as set forth in the Purchase Agreement. The Agency hereby further finds and determines that all consideration to be paid under the Purchase Agreement is in amounts necessary to effectuate the purposes of the Redevelopment Plan for the College Grove Redevelopment Project.

4. That the purchase of the real property and the Purchase Agreement which establishes the terms and conditions

for the purchase of the real property are hereby approved.

5. That the Executive Director of the Agency, or designee, is hereby authorized to execute the Purchase Agreement on behalf of the Agency. A copy of the Purchase Agreement, when executed by the Agency, shall be placed on file in the office of the Secretary to the Agency as Document No. D-02854.

6. That the Executive Director of the Agency, or designee, is hereby authorized, on behalf of the Agency to sign all documents necessary and appropriate to carry out and implement the Purchase 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

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