

(RA-99-14)

REDEVELOPMENT AGENCY OF

THE CITY OF SAN DIEGO

RESOLUTION NO. 2883

ADOPTED ON SEPTEMBER 8, 1998

A RESOLUTION OF THE REDEVELOPMENT AGENCY OF THE CITY OF SAN DIEGO APPROVING THE FIRST IMPLEMENTATION AGREEMENT TO THE OWNER PARTICIPATION AGREEMENT WITH SANTOSH ARYA FOR THE DEVELOPMENT OF AN ULTRAMAR GASOLINE STATION, MINI-MART, AND CAR WASH.

WHEREAS, the Redevelopment Agency of The City of San Diego Agency is engaged in activities necessary to carry out and implement the Redevelopment Plan for the Central Imperial Redevelopment Project Area Project Area; and

WHEREAS, in order to carry out and implement the Redevelopment Plan, the Agency approved, by Redevelopment Agency Resolution No. R-2797 on December 15, 1997, the Owner Participation Agreement OPA with Santosh Arya for the development of an Ultramar Gasoline Station, Mini-mart/Car Wash, a copy of which is on file in the office of the Secretary of the Agency as Document D-02797; and

WHEREAS, in order to further implement the development under the OPA, and pursuant to the proposed First Implementation Agreement to the OPA, the Agency proposes to: (a) modify the scope of development and provide for the construction of the

three-phase power source; (b) authorize the expenditure of \$15,000 or 50 percent of the actual costs for the three-phase power source; and (c) modify the schedule of performance; and

WHEREAS, the Agency has negotiated a proposed First Implementation Agreement to the Owner Participation Agreement First Implementation Agreement and the Agency proposes to enter into the First Implementation Agreement with the Developer; and

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

WHEREAS, the Board of Directors for Southeastern Economic Development Corporation has reviewed and discussed the proposed First Implementation Agreement and has recommended that the Agency approve and the Agency enter into the First Implementation Agreement; and

WHEREAS, the Agency has duly considered all terms and conditions of the proposed First Implementation Agreement and believes that the conditions contained in the proposed First 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.The Agency hereby recognizes that it has received and heard all oral and written objections to the proposed First Implementation Agreement to the Owner Participation Agreement with Santosh Arya, and to other matters pertaining to this transaction, and that all the oral and written objections are hereby overruled.

2.The Executive Director of the Agency, or designee, is hereby authorized to execute, for and on behalf of the Agency, the First Implementation Agreement to the Owner Participation Agreement between the Agency and Santosh Arya, a copy which is on file in the office of the Secretary to the Agency as Document No. D-02883.

3.That the expenditure of an amount not to exceed \$15,000 from Fund 98770, Dept. 98761, is authorized, solely and exclusively for the purpose of providing funds for the above referenced agreement.

APPROVED: CASEY GWINN, General Counsel

By

Douglas K. Humphreys  
Deputy Counsel

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