

(R-85-2342)

RESOLUTION NUMBER R- 263376

ADOPTED ON JUN 11 1985

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO APPROVING THE SUBLEASE OF CERTAIN PROPERTY IN THE HORTON PLAZA REDEVELOPMENT PROJECT AREA TO HORTON PLAZA THEATRES FOUNDATION; APPROVING THE MASTER SUBLEASE AGREEMENT (WITH LEASE AGREEMENT ATTACHED) PERTAINING THERETO; AND MAKING CERTAIN FINDINGS WITH RESPECT TO SUCH SUBLEASE.

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 Horton Plaza Redevelopment Project (the "Project"); and

WHEREAS, in order to carry out and implement such Redevelopment Plan the Agency proposes to sublease certain property in the Project area to Horton Plaza Theatres Foundation (the "Developer") pursuant to the terms and provisions of a certain Master Sublease Agreement with a Lease Agreement attached (the "Agreement"), which Agreement contains a description of said property and provides for the development and operation of the Horton Plaza Theatres; and

WHEREAS, the Developer has executed and submitted to the Agency and the Council of The City of San Diego (the "Council") copies of said proposed Agreement in a form desired by the Developer; and

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

recommended that the Council approve and the Agency enter into the Agreement; and

WHEREAS, pursuant to the California Community Redevelopment Law (California Health and Safety Code, Section 33000 et seq.) the Agency and the Council held a joint public hearing on the proposed sublease of such real property pursuant to such Agreement; having duly published notice of such public hearing and made copies of the proposed Agreement and other reports and documents available for public inspection and comment; and

WHEREAS, the Council has duly considered all terms and conditions of the proposed sublease of real property and believes that the development of the real property pursuant to the proposed 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 Council of The City of San Diego, as follows:

1. The Council recognizes that it has received and heard all oral and written objections to the proposed Master Sublease Agreement (with Lease Agreement attached), to the proposed sublease of the real property pursuant to the proposed Agreement, and to other matters pertaining to this transaction, and that all such oral and written objections are hereby overruled.

2. The Council hereby finds and determines that the consideration to be paid by the Developer for the sublease of the real property as described in the Agreement is not less than fair


market value in accordance with the covenants and conditions governing such sublease as set forth in the Agreement. The Council hereby further finds and determines that all consideration to be paid under the Agreement is in amounts necessary to effectuate the purposes of the Redevelopment Plan for the Horton Plaza Redevelopment Project.

3. The sublease of the real property and the Master Sublease Agreement (with Lease Agreement attached) which establishes the terms and conditions for the sublease and development of the real property are hereby approved.

4. The Council hereby authorizes the City Clerk to deliver a copy of this Resolution to the Executive Director and members of the Agency. A copy of the Master Sublease Agreement and the Lease Agreement, when executed by the Agency shall be placed on file in the office of the City Clerk as Document No. RR-263376-1 and No. RR-263376-2 respectively.

APPROVED: John W. Witt, City Attorney

By


Janis Sammartino Gardner
Deputy City Attorney

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JUN 11 1985

Passed and adopted by the Council of The City of San Diego on _____,
by the following vote:

Councilmen	Yeas	Nays	Not Present	Ineligible
Bill Mitchell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bill Cleator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gloria McColl	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
William Jones	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ed Struiksma	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Gotch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dick Murphy	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Uvaldo Martinez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Roger Hedgecock	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

ROGER HEDGECOCK
Mayor of The City of San Diego, California.

(Seal)

CHARLES G. ABDELNOUR
City Clerk of The City of San Diego, California.

By *June A. Luchell*, Deputy.

Office of the City Clerk, San Diego, California

Resolution Number *R-263376* Adopted *JUN 11 1985*

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