

(R-86-1918)

RESOLUTION NUMBER R- 265536

ADOPTED ON APR 22 1986

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO APPROVING THE FIRST AMENDMENT TO THE DISPOSITION AND DEVELOPMENT AGREEMENT BY AND BETWEEN THE REDEVELOPMENT AGENCY AND GARY R. NELSON AND JOHN T. NELSON TO DEVELOP A SITE IN THE GATEWAY CENTER WEST (DELLS) REDEVELOPMENT PROJECT AREA; AND MAKING CERTAIN FINDINGS WITH RESPECT TO SUCH AMENDMENT.

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 Gateway Center West (adopted as the "Dells") Redevelopment Project (the "Project"); and

WHEREAS, in order to carry out and implement such Redevelopment Plan the Agency has heretofore entered into a Disposition and Development Agreement (the "Agreement") dated March 17, 1985, with Gary R. Nelson and John T. Nelson (the "Developer"), for the sale of real properties in the Project area for the development and construction of clean, light-industrial facilities of about 15,000 sq. ft., and the Agency proposes to enter into the First Amendment to the Disposition and Development Agreement (the "First Amendment") with the Developer; and

WHEREAS, pursuant to the Agreement, the Agency proposes to sell certain property as described in the Agreement in the Project area to the Developer for the construction thereon of the facilities; 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 First Amendment in a form desired by the Developer; and

WHEREAS, the Southeast Economic Development Corporation, Inc., has reviewed and discussed said proposed First Amendment and has recommended that the Council approve and the Agency enter into the First Amendment; 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 First Amendment; having duly published notice of such public hearing and made copies of the proposed First Amendment, 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 First Amendment and believes it 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. That the Council recognizes that it has received and heard all oral and written objections to the proposed First Amendment and to other matters pertaining to this transaction, and that all such oral and written objections are hereby overruled.

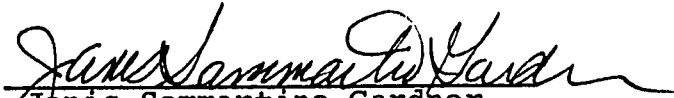
2. That the Council hereby finds and determines that the consideration to be paid by the Developer for the purchase of real property upon which the clean, light-industrial facilities of about 15,000 sq. ft. are to be developed and constructed is not less than fair market value in accordance with the covenants and conditions governing such purchase as set forth in the Agreement, as amended. The Council hereby further finds and determines that all consideration to be paid under the Agreement, as amended, is in amounts necessary to effectuate the purposes of the Redevelopment Plan for the Gateway Center West Redevelopment Project.

3. That the Council hereby consents to the Agency providing the public improvements required to be provided by the Agency under the Agreement, as amended, and hereby finds and determines that the provision of such improvements is necessary to effectuate the purposes of the Redevelopment Plan for the Project.

4. That the sale of the real property under the Agreement, as amended by the First Amendment, which establishes the terms and conditions for the sale and development of the real property, is hereby approved.

5. That the Council hereby authorizes the City Clerk to deliver a copy of the resolution to the Executive Director and members of the Agency. A copy of the First Amendment when executed by the Agency shall be placed on file in the office of the City Clerk as Document No. RR- 265536.

APPROVED: John W. Witt, City Attorney

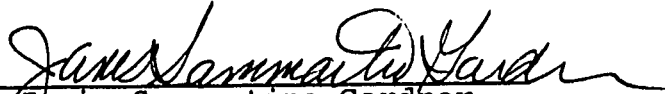
By   
Janis Sammartino Gardner  
Deputy City Attorney

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04/08/86  
Or.Dept:CCDC  
R-86-1918  
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# **CORRECTION**

**The foregoing document is  
rephotographed to insure legibility.**

APPROVED: John W. Witt, City Attorney

By   
Janis Sammartino Gardner  
Deputy City Attorney

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

Councilmen	Yeas	Nays	Not Present	Ineligible
Abbe Wolfsheimer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bill Cleator	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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"/>
Judy McCarty	<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	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> VACANT

AUTHENTICATED BY:

ED STRUIKSMA

Deputy Mayor of The City of San Diego, California.

CHARLES G. ABDELNOUR

City Clerk of The City of San Diego, California.

(Seal)

By Charles G. Abdelnour, Deputy.

Office of the City Clerk, San Diego, California

Resolution Number R. 265536 Adopted APR 22 1986

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