

(R-89-2397)

RESOLUTION NUMBER R- 273824

ADOPTED ON JUN 20 1989

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO APPROVING THE SALE OF CERTAIN PROPERTY IN THE SOUTHCREST REDEVELOPMENT PROJECT TO LOVE JAMES TOLBERT; APPROVING THE OWNER PARTICIPATION AGREEMENT THERETO; AND MAKING CERTAIN FINDINGS WITH RESPECT TO SUCH SALE.

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 Southcrest Redevelopment Project (the "Project"); and

WHEREAS, in order to carry out and implement such Redevelopment Plan, the Agency has negotiated a proposed Owner Participation Agreement with Love James Tolbert (the "Participant") for the sale of real properties in the Project area for the development and construction or rehabilitation of a clean, mixed use development consisting of a commercial/retail center totalling approximately 4,600 square feet of lease space on a 19,000 square foot lot, and the Agency proposes to enter into the Owner Participation Agreement (the "Agreement") with the Developer; 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 and the Council of The City of San Diego (the "Council") copies of said proposed Agreement in a form desired by the Participant; and

WHEREAS, the Southeast Economic Development Corporation, Inc., has reviewed and discussed said proposed Agreement and has recommended that the Council 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 adoption of such Agreement; have 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 Agency, after such public hearing and subject to Council approval, approved such proposed Agreement; and

WHEREAS, the Council has duly considered all terms and conditions of the proposed Agreement and the proposed sale of real property and believes that the redevelopment of the real property pursuant to such 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:

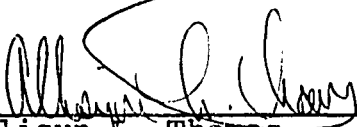
1. The Council recognizes that it has received and heard all oral and written objections to the proposed Agreement, and to other matters pertaining to this transaction, and that all such oral and written objections are hereby overruled.

2. The Council hereby consents to the Agency providing the public improvements, if any, required to be provided by the Agency under the Agreement and hereby finds and determines that the provision of such improvements is necessary to effectuate the purposes of the Redevelopment Plan for the Southcrest Redevelopment Project.

3. The Agreement which establishes the terms and conditions for the development and construction or rehabilitation of the real property is 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 Agreement when executed by the Agency shall be placed on file in the office of the City Clerk as Document No. RR- 273824.

APPROVED: JOHN W. WITT, City Attorney

By 
Allisyn E. Thomas
Deputy City Attorney

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05/23/89
Or.Dept:SEDC
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JUN 20 1989

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

Council Members	Yeas	Nays	Not Present	Ineligible
Abbe Wolfsheimer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ron Roberts	<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"/>
H. Wes Pratt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ed Struiksma	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
J. Bruce Henderson	<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"/>
Bob Filner	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Maureen O'Connor	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

MAUREEN O'CONNOR
Mayor of The City of San Diego, California.

(Seal)

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

By *Maureen L. O'Connor*, Deputy.

Office of the City Clerk, San Diego, California

Resolution **R- 273824** **JUN 20 1989**
 Number Adopted

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CITY OF SAN DIEGO
SAN DIEGO, CA

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CHIEF OF POLICE

DIVISION OF COMMUNITY RELATIONS

UNITED STATES OF AMERICA

Department of Public Safety
San Diego, California
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