

(R-93-1572)

RESOLUTION NUMBER R- 281761

ADOPTED ON APR 13 1993

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIEGO APPROVING THE SALE OF CERTAIN PROPERTY IN THE SOUTHCREST REDEVELOPMENT PROJECT AREA TO THE V. GORDON GROUP; APPROVING THE OWNER PARTICIPATION AGREEMENT PERTAINING 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, the Agency has heretofore entered into that certain Disposition and Development Agreement dated August 13, 1990 (the "DDA") with The V. Gordon Group, Inc., for the sale of certain real properties in the Project area for the development and construction of mixed uses, including light industrial and commercial/retail structures in order to carry out and implement the Redevelopment Plan; and

WHEREAS, in order to modify the obligations set forth in the DDA and to carry out and implement the Redevelopment Plan, the Agency proposes to sell a portion of the property covered by the DDA to The V. Gordon Group (the "Participant"), pursuant to the terms and provisions of a certain Owner Participation Agreement

(the "OPA"), which OPA contains a description of said property and provides for the construction of commercial/retail development thereon; and

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

WHEREAS, the Board of Directors for the Southeast Economic Development Corporation, Inc., has reviewed and discussed said proposed OPA and has recommended that the City Council approve and the Agency enter into the OPA; and

WHEREAS, pursuant to the California Community Redevelopment Law (California Health and Safety Code sections 33000 et seq.), the Agency and the City Council held a joint public hearing on the proposed sale of such real property pursuant to such OPA, having duly published notice of such public hearing and made copies of the proposed OPA, the summary report prepared pursuant to Section 33433, and other reports and documents available for public inspection and comment; and

WHEREAS, the City Council has duly considered all terms and conditions of the proposed sale of real property and believes that the redevelopment of the real property pursuant to the proposed OPA is in the best interest of the City and 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 City Council recognizes that it has received and heard all oral and written objections to the proposed OPA, to the proposed sale of the real property pursuant to the proposed OPA, and to other matters pertaining to this transaction, and that all such oral and written objections are hereby overruled.

2. That the City Council hereby finds and determines that, based upon the explanation of the reasons for the difference between the sale price and the fair market value of the property determined at the highest and best use consistent with the Redevelopment Plan for the Project as contained in the summary (Section 33433) report referenced above, such lesser consideration is necessary to effectuate the purposes of the Redevelopment Plan for the Project.


3. That the sale of the real property, and the OPA which establishes the terms and conditions for the sale and development of the real property, are hereby approved.

4. That the City Council hereby consents to the Agency developing the site under the OPA for commercial use so as to provide streets, sidewalks, utilities and other public improvements as therein described. The City Council hereby finds and determines that the provision of such improvements is necessary to effectuate the purposes of the Redevelopment Plan for the Project.

5. The City Council hereby authorizes the City Clerk to deliver a copy of this resolution to the Executive Director and

members of the Agency. Copies of the OPA when executed by the Agency shall be placed on file in the office of the City Clerk as Document No. RR- 281761.

APPROVED: JOHN W. WITT, City Attorney

By 
Allisyn L. Thomas
Deputy City Attorney

ALT:lc
04/05/93
Or.Dept:SEDC
Aud.Cert:9300587
R-93-1572
Form=r+t

602c

Passed and adopted by the Council of The City of San Diego on APR 13 1993
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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
John Hartley	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
George Stevens	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tom Behr	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Valerie Stallings	<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"/>
Juan Vargas	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Susan Golding	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

SUSAN GOLDING
Mayor of The City of San Diego, California.

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

(Seal)

By Mayfelle S. Antenor Deputy.

Office of the City Clerk, San Diego, California

Resolution Number R-281761 Adopted APR 13 1993

RECEIVED
93 APR -6 AM 8:02
CITY CLERKS OFFICE
SAN DIEGO, CA