

(R-95-195)

RESOLUTION NUMBER R- **284452**

ADOPTED ON **AUG 08 1994**

WHEREAS, AIDS Foundation San Diego has requested the City to help it fund the acquisition of facilities in the Hillcrest area, adjacent to Mercy Hospital and UCSD Medical Center; and

WHEREAS, \$910,000 was allocated to AIDS Foundation San Diego from Community Development Block Grant funds on May 9, 1994; and

WHEREAS, AIDS Foundation has identified an approximately 28,267 square-foot commercial building located at 140 Arbor Drive in the Hillcrest area as the desired site and opened escrow to purchase the property for \$1,200,000; and

WHEREAS, the property has been appraised by independent appraisal as having a value of \$1,250,000; NOW, THEREFORE,

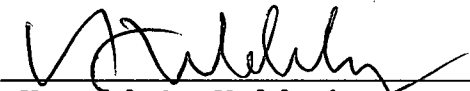
BE IT RESOLVED, by the Council of The City of San Diego, that the expenditure of \$480,000 of the previously allocated \$910,000 of CDBG funds is hereby authorized to provide a portion of the funds needed for acquisition of the above described property.

BE IT FURTHER RESOLVED, that the balance of the \$910,000 CDBG allocation, i.e., \$430,000, is conceptually approved for use to complete the tenant improvements needed on the property with the actual agreement for such second expenditure to be the subject of a separate Council action in the future.

BE IT FURTHER RESOLVED, that the City Manager is hereby authorized to enter into an agreement with AIDS Foundation San

Diego, pursuant to which the Foundation will acquire and utilize facilities to provide services to individuals and their families affected by HIV/AIDS, and pursuant to which the Foundation shall execute a Note secured by a Deed of Trust to provide for reimbursement to the City in the event of future sale of the property, which Note and Deed of Trust will be subordinate to a purchase money Deed of Trust in favor of a commercial lender in an amount not to exceed \$1,120,000, under the terms and conditions contained in the agreement on file in the office of the City Clerk as Document No. RR- 284452 .

APPROVED: JOHN W. WITT, City Attorney

By   
Harold O. Valderhaug  
Chief Deputy City Attorney

HOV:ps  
07/26/94  
Or.Dept:REA  
Aud.Cert:9500131  
Job:521794  
R-95-195  
Form=r-t

**The City of San Diego  
CERTIFICATE OF CITY AUDITOR AND COMPTROLLER**

**CERTIFICATE OF UNALLOTTED BALANCE**

AC 9500131

ORIGINATING  
DEPT. NO.: 070

I HEREBY CERTIFY that the money required for the allotment of funds for the purpose set forth in the foregoing resolution is available in the Treasury, or is anticipated to come into the Treasury, and is otherwise unallotted.

Amount \$ 480,000.00 Fund 18530

Purpose Authorizing the expenditure of funds for the acquisition of real property and related costs for the Aids Foundation facility at 140 Arbor Drive.

Date July 25, 1994

By: *Josie Ruyz*  
AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA										
ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/ EQUIP	FACILITY	AMOUNT
1	0	18530	4062	6230	4279	000001				\$480,000.00
TOTAL AMOUNT										\$480,000.00

FUND OVERRIDE ☐

**CERTIFICATION OF UNENCUMBERED BALANCE**

I HEREBY CERTIFY that the indebtedness and obligation to be incurred by the contract or agreement authorized by the hereto attached resolution, can be incurred without the violation of any of the provisions of the Charter of the City of San Diego; and I do hereby further certify, in conformity with the requirements of the Charter of the City of San Diego, that sufficient moneys have been appropriated for the purpose of said contract, that sufficient moneys to meet the obligations of said contract are actually in the Treasury, or are anticipated to come into the Treasury, to the credit of the appropriation from which the same are to be drawn, and that the said money now actually in the Treasury, together with the moneys anticipated to come into the Treasury, to the credit of said appropriation, are otherwise unencumbered.

Not to Exceed \$ \_\_\_\_\_

Vendor \_\_\_\_\_

Purpose \_\_\_\_\_

Date \_\_\_\_\_

By: \_\_\_\_\_  
AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA										
ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/ EQUIP	FACILITY	AMOUNT
TOTAL AMOUNT										

*R* - 284452

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