

RESOLUTION NUMBER R- 284939

ADOPTED ON NOV 15 1994

RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO APPROVING THE FIRST IMPLEMENTATION AGREEMENT TO THE AMENDED AND RESTATED DISPOSITION AND DEVELOPMENT AGREEMENT BETWEEN THE REDEVELOPMENT AGENCY OF THE CITY OF SAN DIEGO AND GORDON/LUCKY JOINT VENTURE ("DEVELOPER").

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 theretofore entered into that certain Amended and Restated Disposition and Development Agreement (the "DDA") dated May 5, 1993; and

WHEREAS, the Agency adopted a revised project budget for the public improvements, dated August 2, 1994; and

WHEREAS, in order to further implement the development under the DDA and pursuant to the proposed First Implementation Agreement to the DDA, the Agency and the Developer propose to transfer responsibility for installation of all of the on-site and off-site public improvement work for the development of the "Site," which was initially the responsibility of the Agency, to the Developer and reduce the price payable to the Agency for the "Site" by one million four hundred four thousand dollars (\$1,404,000) to reflect the cost of the off-site public improvements now being performed by the Developer, and to make

certain other changes to the DDA deemed appropriate by the parties; and

WHEREAS, the Developer has submitted to the Agency copies of the proposed First Implementation Agreement to the DDA in a form desired by the Developer; and

WHEREAS, Southeastern Economic Development Corporation, Inc. ("SEDC"), has reviewed and discussed the proposed First Implementation Agreement to the DDA and has discussed the revised project budget and has recommended that the Council approve and the Agency enter into the First Implementation Agreement to the DDA and adopt the revised project budget; and

WHEREAS, the Council has duly considered the recommendation of SEDC and all terms and conditions of the proposed First Implementation Agreement to the DDA and believes that the conditions contained therein are in the best interest 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 Implementation Agreement to the DDA and the terms and conditions thereof and the revised project budget, and that all such oral and written objections are hereby overruled.

2. That the proposed First Implementation Agreement to the DDA and the revised project budget are hereby approved.

3. That 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 First Implementation Agreement to the DDA, when executed by the Agency, shall be filed in the office of the City Clerk as Document No. RR- 284939.

APPROVED: JOHN W. WITT, City Attorney

By *Phil A. Denny*  
for Allisyn L. Thomas  
Deputy City Attorney

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10/18/94  
Or.Dept:EDS  
Aud.Cert:N/A  
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