

RESOLUTION NUMBER R- 285616

ADOPTED ON APR 18 1995

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO, CALIFORNIA APPROVING THE ISSUANCE BY THE REDEVELOPMENT AGENCY OF THE CITY OF SAN DIEGO OF NOT TO EXCEED \$5,000,000 AGGREGATE PRINCIPAL AMOUNT OF TAX ALLOCATION BONDS TO FINANCE A PORTION OF THE COST OF A REDEVELOPMENT PROJECT IN SAID CITY KNOWN AS THE SOUTHCREST REDEVELOPMENT PROJECT.

WHEREAS, the Redevelopment Agency of The City of San Diego, California (the "Agency"), is a redevelopment agency (a public body, corporate and politic) duly created, established and authorized to transact business and exercise its powers, all under and pursuant to the Community Redevelopment Law (Part I of Division 24 of the Health and Safety Code of the State of California) (the "Law") and the powers of said Agency include the power to issue bonds for any of its corporate purposes; and

WHEREAS, a redevelopment plan for a redevelopment project known and designated as the "Southcrest Redevelopment Project" has been adopted and approved and all requirements of law for, and precedent to, the adoption and approval of said plan have been duly complied with; and

WHEREAS, the plan contemplates that the Agency will issue its bonds to finance and refinance a portion of the cost of such redevelopment project; and

WHEREAS, the Agency has been informed and believes that it is necessary and desirable to issue bonds to finance a portion of the costs of the Southcrest Redevelopment Plan; and

WHEREAS, the City and the Agency have created the San Diego Redevelopment Financing Authority (the "Authority") under the Marks-Roos Local Bond Pooling Act, Section 6584 et seq. of the Government Code of the State of California (the "Marks-Roos Act"), and the Agency intends to sell said bonds to the Authority for resale to the underwriters selected by the Agency all in accordance with Section 33640 of the Law and Sections 6588 and 6589 of the Marks-Roos Act; and

WHEREAS, the City has previously contributed more than \$10,000,000 of its funds (the "City Expenditures") to pay a portion of the costs of the Southcrest Redevelopment Plan and the City wishes to be reimbursed for said City Expenditures to the extent permitted by law on a basis subordinate to the bonds and the Agency is obligated to reimburse National City for certain mitigation measures (the "National City Obligation") from tax revenues received in the Southcrest Redevelopment Project area; NOW, THEREFORE,

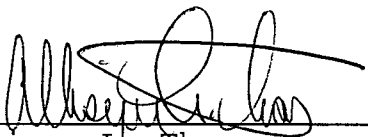
BE IT RESOLVED, by the Council of The City of San Diego, as follows:

1. Pursuant to said Section 33640, the Council hereby approves the issuance by the Agency of Southcrest Redevelopment Project Tax Allocation Bonds, Series 1995 (Tax Exempt), in the aggregate principal amount not to exceed \$5,000,000 to provide funds to finance a portion of the Southcrest Redevelopment Project, said bonds to be issued in accordance with the Law in such manner and under such terms and conditions as shall be acceptable to the Agency.

2. The City hereby agrees and confirms that the lien on the tax revenues derived under Section 33670 of the Law from the Southcrest Redevelopment Project area for the repayment of City Expenditures and the payment of the National City Obligation shall both be subordinate to the lien on said tax revenues for payment of principal of, interest and premium (if any) on the Bonds hereinabove approved, and, further hereby agrees and confirms that no repayment of City Expenditures or payment of the National City Obligation shall be made by the Agency which would preclude or interfere with the complete and timely payment of principal of, interest and premium (if any) on the hereinabove approved Bonds in accordance with their terms within the constraints imposed by any tax increment limitation required by the Law.

3. This Resolution shall take effect upon adoption.

APPROVED: JOHN W. WITT, City Attorney

By   
Allisyn L. Thomas  
Deputy City Attorney

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