

RESOLUTION NUMBER 295992

ADOPTED ON JAN 22 2002

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO APPROVING THE SALE OF CERTAIN PROPERTY IN THE CITY HEIGHTS REDEVELOPMENT PROJECT AREA TO RTC-1, LLC; APPROVING AMENDMENT NO. 1 TO THE DISPOSITION AND DEVELOPMENT AGREEMENT PERTAINING THERETO; AND MAKING CERTAIN FINDINGS WITH RESPECT TO SUCH SALE

WHEREAS, the Redevelopment Agency of the City of San Diego [Agency] is engaged in activities necessary to carry out and implement the Redevelopment Plan for the City Heights Redevelopment Project; and

WHEREAS, in order to carry out and implement the Redevelopment Plan the Agency adopted on May 16, 2000, Resolution No. R-03159 to approve a Disposition and Development Agreement [DDA] with RTC-1, LLC [Developer] for the sale of real property in the redevelopment project area for development of the Regional Transportation Center at El Cajon Boulevard between Central Avenue and 41st Street; and

WHEREAS, in order to implement the Regional Transportation Center project, the Agency proposes to amend the DDA to amend the selling price of real property, described in Exhibit A to this resolution, that the Agency proposes to sell to Developer; and

WHEREAS, the Agency has prepared and submitted to the Council of the City of San Diego [Council] a proposed Amendment No. 1 to the DDA with Developer, and Developer has signed said proposed Amendment No. 1; 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 sale of such real property pursuant to such Agreement; having duly published notice of such public hearing and made copies of the proposed Amendment No. 1, and other reports and documents (including the summary provided for in California Health and Safety Code section 33433) available to public inspection and comment; and

WHEREAS, the 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 Amendment No. 1, is in the best interest of the City and the health, safety, morals and welfare of its residents, and in accordance 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 Amendment No. 1, to the proposed sale of the real property described in Exhibit A, pursuant to the Amendment No. 1, and to other matters pertaining to this transaction, and that all the oral and written objections are overruled.

2. The Council finds and determines that the consideration to be paid by the Developer for the purchase of the real property described in Exhibit A, and for the remainder of the real property for the Regional Transportation Center project is not less than the fair reuse value at the use and with the covenants and conditions and development costs authorized by the DDA as amended by Amendment No. 1. The Council further finds and determines that all consideration to be paid under the Agreement is in amounts necessary to effectuate the purposes of the Redevelopment Plan for the Project.

3. The Council finds and determines that the sale of the real property for the Regional Transportation Center project will assist in the elimination of blight in the Redevelopment Project Area and is consistent with the City Heights Redevelopment Plan.

4. The sale of the real property and Amendment No. 1 to the DDA which establishes the terms and conditions for the purchase and development of the real property, are approved. A copy of the Amendment No. 1, when executed by the Agency, shall be placed on file in the office of the City Clerk as Document No. RR- 295992

5. That the Council authorizes the City Clerk to deliver a copy of this resolution to the Executive Director and members of the Agency.

APPROVED: CASEY GWINN, City Attorney

By: _____


Douglas K. Humphreys
Deputy City Attorney

DKH:ai

1/10/02

Or.Dept:REDV

Aud.Cert: n/a

R-2002-938

Redev:RA-2002-81

Form=r&t-comp.frm

THE ORIGINAL OF THIS DOCUMENT
 WAS RECORDED ON SEP 13, 2001
 DOCUMENT NUMBER 2001-0657046
 GREGORY J. SMITH, COUNTY RECORDER
 SAN DIEGO COUNTY RECORDER'S OFFICE
 TIME: 10:49 AM

DOCUMENTARY TRANSFER TAX \$ 0
 COMPUTED ON FULL VALUE OF PROPERTY
 CONVEYED, OR
 COMPUTED ON FULL VALUE LESS LIENS AND
 ENCUMBRANCES REMAINING THEREON AT TIME OF
 SALE.
Terry E. Hunt - Caltrans
 Signature of declarant or agent determining tax - firm name
 Unincorporated Area City of _____
 When recorded mail to:
 Dept. of Transportation
 Attn: Right of Way Dept.
 District 11
 P.O. Box 85406
 San Diego, CA 92186-5406

Space above this line for Recorder's Use
 E.A. 048682

DIRECTOR'S DEED

District	County	Route	Post	Number
11	SD	15	4.5	DD 26412-01-01 (27519-01-01)

AUG - 2001 02

The STATE OF CALIFORNIA, acting by and through its Director of Transportation, does hereby grant to _____

The City of San Diego, a Municipal Corporation,

all that real property in the City of San Diego, County of San Diego, State of California, described as:

THOSE PORTIONS of Lots 1 to 10 inclusive of Block 27 of the Resubdivision of Block K & L of Teralta, in the City of San Diego, County of San Diego, State of California, according to Map thereof No. 1037 filed in the office of the County Recorder of San Diego County on March 8, 1907, as conveyed to the State of California in deeds recorded, July 19, 1995 as DOC #1995-0305636, and December 30, 1994 as DOC #1994-0742499 in the office of said County Recorder, lying Easterly of the following described line:

BEGINNING at the Southwest corner of said Block 27; said point being the beginning of a 30.00 foot radius curve concave Southeasterly, to which a radial bears N60°19'49"W;

thence (1) N00°56'57"E., 350.16 feet along the Westerly line of said Block 27 to the Southwest corner of said Lot 10, being the beginning of a 30.00 foot radius non-tangent curve to the right, concave Southeasterly, to which a radial bears N60°19'49"W;

thence (2) Northeasterly 24.94 feet along the arc of said curve through a central angle of 47°37'34" to the beginning of a 45.00 foot radius reverse curve concave Westerly;

thence (3) Northerly 104.87 feet along the arc of said curve through a central angle of 133°31'12" to the beginning of a 25.00 foot radius reverse curve concave northeasterly;

MAIL TAX
 STATEMENTS TO:

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NUMBER
DD 26412-01-01

thence (4) Northwesterly 25.05 feet along the arc of said curve through a central angle of 57°24'32";

thence (5) N01°11'05"E, 119.73 feet more or less to the beginning of a tangent 20.00 foot radius curve concave Southeasterly, being also tangent to the North line of said Lot 1 of Block 27;

thence (6) Northeasterly 31.36 feet along the arc of said curve through a central angle of 89°50'20" to said North line of Lot 1;

thence (7) S88°58'35"E, along said North line 50.00 feet,

thence (8) continuing along said line S88°58'35"E, 7.83 feet to the Northeast corner of the land conveyed in last said deed, and the **POINT OF TERMINUS**;

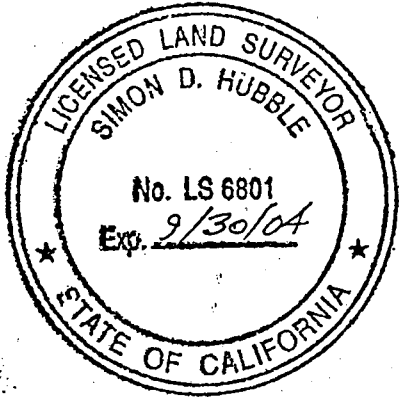
The bearings and distances used in the above description are on the California Coordinate System of 1927, Zone 6. Multiply all distances by 1.000009 to obtain ground level distances.

There shall be no abutter's rights, including rights of access appurtenant to the above described real property in and to the adjacent public ways along the Northerly 40.00 feet of course (5) and along courses (6) and (7) above.

This real property description has been prepared by me or under my direction in conformance with the Professional Land Surveyors' Act.

Simon D. Hubble
 Simon D. Hubble

June 22, 2004
 Date



AU: SH
CK: FW

This is to certify that the interest in real property conveyed by this instrument to the City of San Diego, a municipal corporation, is hereby accepted by the undersigned officer on behalf of the City of San Diego, pursuant to authority conferred by Resolution No. 250320, adopted by the Council of the City of San Diego on October 1, 1979, and the grantee consents to recordation thereof by its duly authorized officer.

Dated *9-10-2004* By *Michael J. Slett*
 City Manager

AFTER RECORDING, MAIL TO CITY CLERK

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Subject to special assessments if any, restrictions, reservations, and easements of record.

This conveyance is executed pursuant to the authority vested in the Director of Transportation by law and, in particular, by the Streets and Highways Code.

WITNESS my hand and the seal of the Department of Transportation of the State of California, this 31 day of August 2001.

STATE OF CALIFORNIA
DEPARTMENT OF TRANSPORTATION

JEFF MORALES

Director of Transportation

APPROVED AS TO FORM AND PROCEDURE

Tom Brault

ATTORNEY
DEPARTMENT OF TRANSPORTATION

By *Anne H. Marc-Aurele*

Attorney in Fact

ANNE H. MARC-AURELE

Deputy District Director, Right of Way Division
PERSONAL ACKNOWLEDGMENT

STATE OF CALIFORNIA }
County of ~~Sacramento~~ San Diego } SS

On this the 31 day of August 2001, before me, Carolyn Lee, Notary Public
Name, Title of Officer-E.G., "Jane Doe, Notary Public"

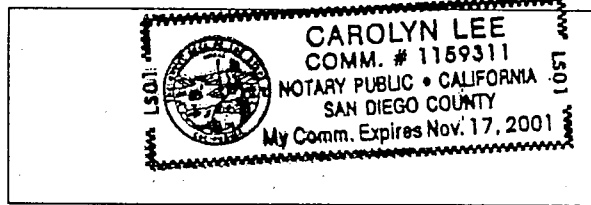
personally appeared Anne H. Marc-Aurele
Name of Signer

- personally known to me
- proved to me on the basis of satisfactory evidence

to be the person whose name is subscribed to the within instrument and acknowledged to me that ~~she~~ her executed the same in ~~her~~ her authorized capacity, and that by ~~her~~ her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

Carolyn Lee
(Notary Public's signature in and for said County and State)



(for notary seal or stamp)

THIS IS TO CERTIFY that the California Transportation Commission has authorized the Director of Transportation to execute the foregoing deed at its meeting regularly called and held on the 22nd day of August 2001, in the City of Sacramento.

Dated this 27th day of August 2001.

Robert I. Remen
ROBERT I. REMEN, Executive Director
CALIFORNIA TRANSPORTATION COMMISSION

R-295992

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

CERTIFICATE OF UNALLOTTED BALANCE

ORIGINATING DEPT. NO.: AC 2200718
042

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 10,000 Fund 18553

Purpose Adopt a resolution to accept a \$10,000 increase in the Federal Economic Development Initiative grant for the RTC project and transfer said amount to the Redevelopment Agency.

Date January 14, 2002 By: Esther Musan

AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA

ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/EQUIP	FACILITY	AMOUNT
001	0	18553			9544					\$10,000.00
TOTAL AMOUNT										\$10,000.00

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										

FUND OVERRIDE

R-295992

JAN 22 2002

AC 2200718