

RESOLUTION NUMBER R- 298732

ADOPTED ON DEC 08 2003

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO AUTHORIZING THE ACCEPTANCE/PURCHASE FROM THE REDEVELOPMENT AGENCY OF THE CITY OF SAN DIEGO OF CERTAIN REAL PROPERTY AND THE ACCEPTANCE/CONVEYANCE AND SALE OF CERTAIN REAL PROPERTY FOR THE PURCHASE PRICE OF \$42,408 JMIR-DOWNTOWN ACQUISITION, LLC IN ACCORDANCE WITH THE BALLPARK COOPERATION AGREEMENT AND OTHER RELATED ACTIONS

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 Centre City Redevelopment Project [Project]; and

WHEREAS, the Agency has heretofore approved and adopted the Implementation Plans for the Centre City and Horton Plaza Redevelopment Projects (July 1999-June 2004), and subsequently approved and adopted the First Amendment thereto [Implementation Plan] providing for the implementation of certain activities necessary or appropriate to carry out the Redevelopment Plan; and

WHEREAS, one of the projects proposed in the Redevelopment Plan and the Implementation Plan is the development of a baseball park and related improvements [Ballpark and Redevelopment Project] within the East Village Redevelopment District of the Expansion Sub Area of the Centre City Redevelopment Project area [Project Area]; and

WHEREAS, the City of San Diego [City] and the Agency are in the process of implementing such Ballpark and Redevelopment Project as redevelopment activities pursuant to a Memorandum of Understanding executed by them and others after approval thereof by the City's electorate, as supplemented and implemented by the parties [MOU]; and

WHEREAS, in order to implement the Redevelopment Plan and the MOU, the City, by Resolution No. R-292800, adopted on February 22, 2000, entered into a Cooperation Agreement with the Agency to pay toward the cost of the land for and/or the installation and construction of the Ballpark and Redevelopment Project; and

WHEREAS, pursuant to the Ballpark Cooperation Agreement, the Agency is required to convey certain property for the Project to the City as from time to time requested by the City;

NOW THEREFORE

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


1. That the City Manager, or designee, is hereby authorized to sign all documents necessary and appropriate, and to take all other actions necessary to purchase and/or accept, for and on behalf of the City of San Diego, the conveyance of certain real property acquired by the Agency either at no fee (for use as street rights of way or for the new Main Library site) or at a purchase price equal to the Agency's costs (for subsequent transfer by the City to JMIR-Downtown Acquisition, LLC at a purchase price equal to the City's purchase price) pursuant to the terms and conditions of the MOU and the Ballpark Cooperation Agreement; or otherwise in furtherance of the Ballpark and Redevelopment Project.

2. That the City Manager, or designee, be and is hereby authorized to sign all documents necessary and appropriate, and to take all actions necessary to convey certain real property to JMIR-Downtown Acquisition, LLC for a purchase price of \$42,408, and that for

\$42,408, be and is hereby appropriated and that the expenditure of that amount is authorized for the purpose of acquiring the property from the Agency contingent upon the deposit of sale proceeds by JMIR-Downtown Acquisition LLC.

3. That the City Manager, or designee is hereby authorized to undertake all actions necessary and appropriate to implement the intent and purposes of this resolution.

APPROVED: CASEY GWINN, City Attorney

By:   
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Douglas K. Humphreys  
Deputy City Attorney

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Or.Dept:CCDC  
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