

**OVERSIGHT BOARD RESOLUTION NO. OB-25**

**A RESOLUTION OF THE OVERSIGHT BOARD OF THE SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY OF THE CITY OF FRESNO APPROVING THE SALE OF APPROXIMATELY 2,261 SQUARE FEET AND TEMPORARY CONSTRUCTION EASEMENT OF APPROXIMATELY 10,625 SQUARE FEET AT 1129 BROADWAY PLAZA (APN 466-215-20T) TO STATE OF CALIFORNIA**

WHEREAS, pursuant to AB X1 26 (which became effective at the end of June 2011), as modified by the California Supreme Court's decision in *California Redevelopment Association, et. al. v. Matosantos, et. al.* (53 Cal. 4th 231 (2011)), the Redevelopment Agency of the City of Fresno ("Former RDA") was dissolved as of February 1, 2012 and the Successor Agency was constituted; and

WHEREAS, AB 1484 (which became effective at the end of June 2012) amended and supplemented AB X1 26 (AB X1 26 and AB 1484, together, being referred to below as the "Dissolution Act"); and

WHEREAS, pursuant to the Dissolution Act, all non-housing assets, properties, contracts, leases, books and records, buildings, and equipment of the Former RDA have been transferred to the control of the Successor Agency; and

WHEREAS, pursuant to Section 34191.5(b) of the Dissolution Act, the Successor Agency prepared a long-range property management plan (the "Plan") which addresses the disposition and use of the real properties of the Former RDA, and the Plan was adopted by the Oversight Board on July 7, 2014, and submitted to the State Department of Finance ("DOF") for approval on July 9, 2014, and is still under review by DOF; and

WHEREAS, State of California, wishes to purchase 0.30 acres, including 2,261 square feet in fee and 10,625 square feet for a 60-month temporary construction easement, of real property which is identified in the Plan as Line #55 APN 466-215-20T (the "Property"); and

WHEREAS, the purchase price for the sale is \$30,582 and the purchase price for the temporary construction easement is \$53,062, for a total price of \$83,600.00 (rounded) cash at close of escrow, pursuant to the terms of the Right of Way Contract attached hereto as Exhibit A; and

WHEREAS, the proposed disposition was approved by the Successor Agency on June 19, 2014 as part of the Plan; and

WHEREAS, the Oversight Board desires to authorize execution of the Right of Way Contract and to direct staff to submit the Oversight Board action to the DOF for approval; and

WHEREAS, the Right of Way Contract is effective upon approval by the Oversight Board, the Successor Agency, and the DOF.

NOW THEREFORE BE IT RESOLVED BY OVERSIGHT BOARD AS FOLLOWS:

SECTION 1. The Oversight Board hereby approves the Right of Way Contract, substantially in the form attached hereto as Exhibit A, and directs the Executive Director to execute the Right of Way Contract on behalf of the Successor Agency, and to take all such actions as may be required to close escrow and convey the Property pursuant to the Right of Way Contract.

SECTION 2. Pursuant to Health and Safety Code Section 34180(j), staff of the Successor Agency is hereby authorized and directed to transmit the Right of Way Contract to the County Administrative Officer, the County Auditor-Controller, and DOF.

SECTION 3. The Executive Director is hereby authorized and directed to do any and all things which may be necessary or advisable to effectuate this Resolution and any such actions previously taken are hereby ratified.

SECTION 4. This Resolution shall be effective in accordance with CRL section 34179(h).

ADOPTED by the Oversight Board this 19<sup>th</sup> day of February, 2015.


  
TERRY BRADLEY  
Chair of the Board

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I, YVONNE SPENCE, City Clerk/Clerk of the Oversight Board hereby certify that the foregoing resolution was duly and regularly adopted at a meeting of the Oversight Board for the City of Fresno as Successor Agency to the Redevelopment Agency of the City of Fresno at its meeting held on the 19<sup>th</sup> day of February, 2015, by the following vote, to wit:

AYES : Bradley, Hodges, Watahira, Vagim, Hofmann, Westerlund  
NOES : None  
ABSENT : Poochigian  
ABSTAIN :

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Fresno, California, this 19<sup>th</sup> day of February, 2015.

  
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Yvonne Spence  
City Clerk/Clerk of the Oversight Board

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