RESOLUTION NO. 00-128

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIDGECREST APPROVING A DISPOSITION AND DEVELOPMENT AGREEMENT AND AUTHORIZING THE EXECUTION AND DELIVERY THEREOF

WHEREAS, the Agency is a redevelopment agency duly created, established and authorized to transact business and exercise its powers, all under and pursuant to the Community Redevelopment Law (Part 1 of Division 24 (commencing with Section 33000) of the Health and Safety Code of the State of California), and the powers of the Agency include the power to own and lease real property;

WHEREAS, the Agency and the City Council of the City of Ridgecrest have held a duly noticed public hearing; and

WHEREAS, the City Council has determined that it is in the best interests and for the benefit of the community and in accordance with the public purposes and provisions of applicable state and local laws and requirements to enter into a Disposition and Development Agreement by and between the Ridgecrest Redevelopment Agency and Evergreen Devco, Inc. (the "DDA").

NOW THEREFORE, the City Council of the City of Ridgecrest does hereby RESOLVE, DETERMINE AND ORDER as follows:

Section 1. The City Council hereby finds and determines that based upon substantial evidence provided in the record before it, (i) the disposition of the Property to Evergreen Devco, Inc. pursuant to the DDA is in accordance with the covenants and conditions governing the transfer of the Property, and complies with the purposes of the Redevelopment Plan for the use and maintenance of the Property, which is in the best interest of the community and (ii) the consideration for the disposition of the Property pursuant to the terms and conditions of the DDA is not less than either the fair market value or the fair reuse value in accordance with the covenants, conditions and restrictions imposed under the DDA and the costs required under the DDA. The City Council further finds and determines that the disposition of the Property pursuant to the DDA (i) will assist in the elimination of blight by requiring redevelopment of the Property in accordance with the DDA and (ii) is consistent with the implementation plan for the Redevelopment Project adopted by the Agency pursuant to Health and Safety Code Section 33490.

Section 2. The disposition of the Property by the Agency to Evergreen Devco, Inc. pursuant to the DDA and any changes mutually agreed upon by Evergreen Devco, Inc. and the Executive Director as are minor and in substantial conformance with the DDA submitted herewith, which establishes terms and conditions for the transfer of the Property, are hereby approved by the City Council.

Section 3. The City Council concurs in authorizing the Executive Director of the Agency to execute the Agreement and to make all steps, and to sign all documents (including the Grant Deed) necessary to implement and carry out the DDA on behalf of the Agency.

Section 4. The City Council hereby finds and determines that the environmental status of the project remains consistent with the environmental impact report (EIR) prepared for Redevelopment Project Area, and the DDA does not add new environmental impacts and neither a supplemental nor a subsequent EIR is required.

APPROVED AND ADOPTED this15th day of November, 2000 by the following vote:

AYES: Mayor Darnell, Council Members Holloway, Morgan, and Rollins

NOES: Council Member Carter

ABSENT: None

ABSTAIN: None

Donna Darnell

Donna Darnell, Mayor

ATTEST:

Rita Gable

Rita Gable
Deputy City Clerk

STATE OF CALIFORNIA)
COUNTY OF KERN) ss.
CITY OF RIDGECREST)

I, RITA GABLE, Deputy City Clerk of the City of Ridgecrest, do hereby certify that the foregoing resolution was duly adopted by the City Council of said City at a regular meeting by the following vote:

AYES: Mayor Darnell, Council Members Holloway, Morgan, and Rollins

NOES: Council Member Carter

ABSENT: None

ABSTAIN: None

Deputy City Clerk

STATE OF CALIFORNIA)
COUNTY OF KERN) ss.
CITY OF RIDGECREST)

I, RITA GABLE, Deputy City Clerk of the City of Ridgecrest, do hereby certify that the above and foregoing is a full, true and correct copy of Resolution No. 00-128 of the City Council, and that the same has not been amended or repealed.

DATED: November 15, 2000

Deputy City Clerk