

RESOLUTION NO. 2005-031

ADOPTED BY THE REDEVELOPMENT AGENCY OF THE CITY OF SACRAMENTO

ON DATE OF
MAY 17 2005

**APPROVAL OF DISPOSITION AND DEVELOPMENT AGREEMENT
WITH THOMAS R. ARMSTRONG ENTERPRISES, INC.
FOR DEVELOPMENT OF THE RIO LINDA – NOGALES SINGLE FAMILY HOME
DEVELOPMENT PROJECT AT 3536 RIO LINDA BOULEVARD**

WHEREAS, the Redevelopment Agency of the City of Sacramento ("Agency") has adopted the Del Paso Heights Redevelopment Plan ("Redevelopment Plan") and an Implementation Plan for Del Paso Heights Project Area ("Project Area");

WHEREAS, Agency owns certain real property generally described as the Rio Linda - Nogales Development Site at 3536 Rio Linda Boulevard (251-0152-026, -028) ("Property") in the Project Area, which was acquired with tax increment funds;

WHEREAS, Agency and Thomas R. Armstrong Enterprises, Inc. ("Developer") desire to enter into Disposition and Development Agreement ("DDA") to convey the Property to Developer for construction of eleven single family homes to be sold to purchasers; as more specifically described in the DDA, and which would require the improvements within the Property, as further described in the DDA (collectively, "Project");

WHEREAS, a copy of the DDA is on file with the Agency Clerk;

WHEREAS, in accordance with the California Environmental Quality Act ("CEQA") and its implementing regulations, the sale of the Property and the Project are exempt under CEQA Guidelines Section 15332 as an infill project, in that (1) the site is not more than five acres and is substantially surrounded by urban uses; (2) the project is consistent with the General Plan, community plan and zoning; (3) the project can be served by all required utilities and public services; and (4) based on an initial study (i) the site has no value as habitat for threatened or endangered species, and (ii) the project would not result in any significant impacts to traffic, noise, air quality, or water quality;

WHEREAS, a report under Health and Safety Code Section 33433 ("Section 33433 Report") has been prepared, filed with the Agency Clerk, and made available for public review 33433; and

WHEREAS, proper notice of this action has been given and a public hearing has been held in accordance with Health and Safety Code Sections 33431 and

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NOW, THEREFORE, BE IT RESOLVED BY THE REDEVELOPMENT AGENCY OF THE CITY OF SACRAMENTO:

Section 1. The Executive Director is directed to prepare a Notice of Exemption for the sale of the Property for the Project based on the findings in the accompanying staff report in accordance with CEQA Guidelines Section 15062.

Section 2. The sale of the Property and construction of the Project is consistent with the goals and objectives of the Redevelopment Plan to promote homeownership and new construction of housing on vacant lots, and is consistent with the Implementation Plan. The Project will assist in the elimination of blight as stated in the 33433 Report. The DDA shall be deemed an implementing document approved in furtherance of the Redevelopment Plan and Implementation Plan for the Project Area, and all applicable land use plan, studies, and strategies.

Section 3. The Report as required under Health and Safety Code Section 33433 is hereby approved.

Section 4. The consideration for the Agency's conveyance of the Property to Developer is Developer's obligations under the DDA, and the fair reuse value of the Property at the use and with the covenants, conditions, restrictions required by the DDA and the related Regulatory Agreement and Grant Deed, is nothing.

Section 5. The Disposition and Development Agreement is approved and the Executive Director is authorized to execute the DDA, Grant Deed, Regulatory Agreement, Escrow Instructions and related conveyance documents, and to perform other actions as necessary to implement the terms of the DDA. In accordance with Health and Safety Code Section 33334.14, the Regulatory Agreement containing covenants imposed by the DDA may be subordinated to the lien or encumbrance of the Developer's lender.

HEATHER FARGO

CHAIR

ATTEST:

SHIRLEY CONCOLINO

SECRETARY

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