

# RESOLUTION NO. 89-058

ADOPTED BY THE REDEVELOPMENT AGENCY OF THE CITY OF SACRAMENTO

ON DATE OF June 27, 1989

ACTIONS RELATED TO SETTLEMENT OF LITIGATION AND THE  
REDEVELOPMENT OF OLD SACRAMENTO PARCEL NO. 54

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

Section 1: The Acting Executive Director is authorized to terminate the existing contract for Sale of Land for Private Redevelopment between Mr. Chuck O'Neal, Mr. Kenneth L. Kirby and the Agency for the Redevelopment of the City Market Building Site, Old Sacramento Parcel No. 54, upon the conditions set out below.

Section 2: Upon reimbursement of the Agency's legal costs relating to this transaction, the Acting Executive Director is authorized to execute an amendment to the Special Warranty Deed for Parcel No. 54 and to execute an Owner Participation Agreement, substantially in the form attached and as approved by Agency Counsel, with Mr. Kenneth L. Kirby for the reconstruction of the City Market Building as a ten (10) room bed and breakfast hotel facility.

Section 3: The Acting Executive Director is authorized to execute an Agreement with Mr. Kenneth L. Kirby for the construction of Service Court improvements on a shared cost basis.

Section 4: The Acting Executive Director is authorized to enter into an Agreement with Mr. Kenneth L. Kirby and the City of Sacramento regarding parking in conjunction with the redevelopment of the City Market Building Site for Hotel guest use.

Section 5: The Amendments to the Agreements for Operation and Maintenance of the five (5) Agency-owned Parking Facilities, Lots G, K, P, R and V, adopted March 29, 1988 by City Resolution Nos. 88-251 and 88-252 and Agency Resolution No. 88-026 are applicable to the Parking Agreement between the Redevelopment Agency, Kenneth L. Kirby and the City of Sacramento.

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Section 6: The Acting Executive Director is authorized to take all necessary actions to settle the litigation to revest ownership of Old Sacramento Parcel No. 54 in accordance with the terms and conditions of the above described Owner Participation Agreement.

Section 7: The Acting Executive Director is authorized to amend the special warranty deed on such parcel 54, as needed to conform to the owner participation agreement.

Section 8: This Resolution shall be effective upon adoption.

*Anne Reiden*  
CHAIR

ATTEST:

*Andrew M. ...*  
ASSISTANT SECRETARY

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