

RESOLUTION NO. ORA-0479

A RESOLUTION OF THE ORANGE REDEVELOPMENT AGENCY APPROVING THE ACQUISITION FROM THE CITY OF ORANGE OF TWO NONCONTIGUOUS PARCELS OF UNIMPROVED REAL PROPERTY CONSISTING TOGETHER OF APPROXIMATELY 4,603 SQUARE FEET AND GENERALLY LOCATED ON THE SOUTH SIDE OF WEST CHAPMAN AVENUE EAST OF RAMPART STREET IN THE CITY OF ORANGE.

WHEREAS, the City of Orange (the City) is a municipal corporation exercising governmental functions and powers, organized and existing under the laws of the State of California, and authorized to sell and otherwise convey real property to the Orange Redevelopment Agency (the Agency) under the California Community Redevelopment Law (commencing with Section 33000 of the Health and Safety Code and hereinafter referred to as the Redevelopment Law); and

WHEREAS, the Agency has been duly created, established and authorized to transact business and exercise its powers under and pursuant to the Redevelopment Law; and

WHEREAS, the City is the owner of two noncontiguous parcels of unimproved real property, which are depicted as Parcel A and Parcel B on the map attached hereto as **Exhibit B** and more particularly described on **Exhibit A**, attached hereto and incorporated herein by this reference (herein referred to collectively as the Property); and

WHEREAS, the Property is located within the boundaries of the Orange Merged and Amended Redevelopment Project Area (the Redevelopment Project Area), which Redevelopment Project Area was duly established by the City Council of the City of Orange on November 27, 2001 by Ordinance No. 21-01, pursuant to the Redevelopment Law; and

WHEREAS, the City Council has heretofore found and determined that the Property is surplus to the City's needs and not needed for any other public purpose and that its sale to the Agency, in accordance with the authority conferred upon the City by Section 33396 of the Redevelopment Law, is for the common benefit of the City; and

WHEREAS, Section 33396 of the Redevelopment Law authorizes the Agency to accept a conveyance of City-owned surplus real property for disposition by the Agency to private persons or to public or private entities by sale or lease for redevelopment purposes; and

WHEREAS, Section 33391 of the Law authorizes the Agency to acquire for purposes of redevelopment any real or personal property; and

WHEREAS, the Agency proposes to acquire the Property from the City pursuant to the terms and provisions of a Purchase and Sale Agreement in the form presented at this meeting (the Agency Purchase Agreement); and

WHEREAS, the Property has been appraised as having a fair market value of \$165,700.00 and the purchase price set forth in the Agency Purchase Agreement is in accordance with said appraisal; and

WHEREAS, the Agency Purchase Agreement by and between the City and the Agency has been prepared and submitted, providing for the conveyance of the Property by the City to the Agency for the purchase price and upon the terms stated therein; and

WHEREAS, the Board of Directors of the Agency, along with the City Council, has duly considered all of the terms and conditions of the Agency Purchase Agreement, as set forth in the agenda report presented to it and any testimony received at the meeting at which this matter was considered, and believes that the acquisition of the Property is in the best interests of the City and the health, safety, morals and welfare of its residents, and in accord with the public purposes and provisions of applicable State and local law requirements, and that such activities promote the objectives of the Redevelopment Law as well as the Redevelopment Plan for the Redevelopment Project Area.

NOW, THEREFORE, the Board of Directors of the Orange Redevelopment Agency (the Agency Board) resolves, on the basis of the facts set forth in the agenda report presented to it and any testimony received at the meeting at which this matter was considered, as follows:

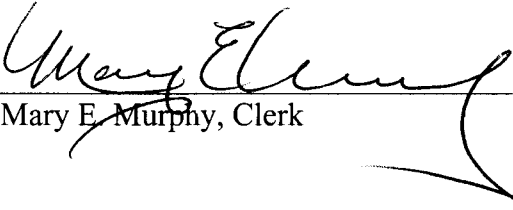
1. The foregoing recitals are true and correct.
2. As a responsible agency under the California Environmental Quality Act (CEQA), the acquisition of the Property by the Agency pursuant to the Agency Purchase Agreement is categorically exempt from the provisions of CEQA under Section 15312 of the State CEQA Guidelines.
3. The Agency Board hereby approves the acquisition by the Agency from the City for redevelopment purposes of the fee simple estate in and to the Property, subject to easements, covenants, rights and rights-of-way of record, for the sum of \$165,700.00 in cash in accordance with the terms and provisions of the Agency Purchase Agreement. Accordingly, the Agency Board hereby finds and determines that the terms and provisions of the Agency Purchase Agreement between the Agency and the City with respect to the acquisition of the Property, in the form as submitted by the Executive Director, are approved.
4. The Chairman is hereby authorized and directed to execute on behalf of the Agency the Agency Purchase Agreement, together with any and all documents necessary and appropriate to carry out and implement the Agency Purchase Agreement and to administer the Agency's obligations, responsibilities and duties to be performed thereunder, including the acceptance in the name and on behalf of the Agency of a grant deed conveying to this Agency the above-described interest in the Property.

ADOPTED this 26th day of February, 2008



Carolyn V. Cavecche, Chairman

ATTEST:



Mary E. Murphy, Clerk

I, MARY E. MURPHY, City Clerk of the City of Orange, California, do hereby certify that the foregoing Resolution was duly and regularly adopted by the Orange Redevelopment Agency at a regular meeting thereof held on the 26th day of February, 2008.

AYES: COUNCILMEMBERS: Smith, Murphy, Cavecche, Dumitru, Bilodeau
NOES: COUNCILMEMBERS: None
ABSENT: COUNCILMEMBERS: None
ABSTAIN: COUNCILMEMBERS: None



Mary E. Murphy, Agency Clerk

EXHIBIT "A"

LEGAL DESCRIPTION OF THE PROPERTY

[Behind this sheet.]

EXHIBIT "A"

PARCEL "A"

IN THE CITY OF ORANGE, COUNTY OF ORANGE, STATE OF CALIFORNIA, BEING THAT PORTION OF LOT 9 OF THE LOCKHART TRACT AS SHOWN ON A MAP RECORDED IN BOOK 4, PAGES 512 AND 513, MISC. RECORDS OF LOS ANGELES COUNTY, CALIFORNIA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF PARCEL MAP FILED IN BOOK 75, PAGES 3 AND 4 OF PARCEL MAPS IN THE OFFICE OF THE ORANGE COUNTY RECORDER, SAID POINT BEING ALSO THE SOUTH WESTERLY MOST CORNER OF PARCEL 1 OF STATE HIGHWAY RELINQUISHMENT NO. 453 PER STATE HIGHWAY MAP BOOK 5 PAGES 13-19, INCLUSIVE IN THE OFFICE OF THE ORANGE COUNTY RECORDER;

THENCE ON A PROLONGATION OF SAID WESTERLY LINE OF SAID PARCEL MAP, NORTH $00^{\circ}55'14''$ WEST, A DISTANCE OF 85.67 FEET TO A NON-TANGENT CURVE CONCAVE TO THE NORTHEAST HAVING A RADIUS OF 1298.42 FEET, A RADIAL BEARING TO SAID POINT BEARS NORTH $24^{\circ}09'23''$ EAST;

THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF $01^{\circ}53'48''$, AN ARC LENGTH OF 42.98 FEET TO A POINT ON THE WESTERLY LINE OF SAID PARCEL 1 OF SAID RELINQUISHMENT NO. 453;

THENCE SOUTH $19^{\circ}52'04''$ EAST ALONG SAID WESTERLY RELINQUISHMENT LINE, A DISTANCE OF 110.47 FEET TO THE POINT OF BEGINNING.

Containing 1674 S.F. All as shown on Exhibit "B" and by this reference made a part hereof.

PARCEL "B"

IN THE CITY OF ORANGE, COUNTY OF ORANGE, STATE OF CALIFORNIA, BEING THAT PORTION OF LOT 9 OF THE LOCKHART TRACT AS SHOWN ON A MAP RECORDED IN BOOK 4, PAGES 512 AND 513, MISC. RECORDS OF LOS ANGELES COUNTY, CALIFORNIA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF PARCEL MAP FILED IN BOOK 75, PAGES 3 AND 4 OF PARCEL MAPS IN THE OFFICE OF THE ORANGE COUNTY RECORDER, SAID POINT BEING ALSO THE SOUTH WESTERLY MOST CORNER OF PARCEL 1 OF STATE HIGHWAY RELINQUISHMENT NO. 453 PER STATE HIGHWAY MAP BOOK 5 PAGES 13-19, INCLUSIVE IN THE OFFICE OF THE ORANGE COUNTY RECORDER;

THENCE ON A PROLONGATION OF SAID WESTERLY LINE OF SAID PARCEL MAP, NORTH $00^{\circ}55'14''$ WEST, A DISTANCE OF 85.67 FEET TO A NON-TANGENT CURVE CONCAVE TO THE NORTHEAST HAVING A RADIUS OF 1298.42 FEET, A RADIAL BEARING TO SAID POINT BEARS NORTH $24^{\circ}09'23''$ EAST;

THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF $01^{\circ}53'48''$, AN ARC LENGTH OF 42.98 FEET TO POINT ON THE WESTERLY LINE OF SAID PARCEL 1 OF SAID RELINQUISHMENT NO. 453, SAID POINT BEING ALSO A POINT ON A CONTINUOUS CURVE CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 1298.42 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF $00^{\circ}41'20''$, AN ARC LENGTH OF 15.61 FEET TO A POINT ON A CONTINUOUS CURVE CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 1298.42 FEET AND THE **TRUE POINT OF BEGINNING**;

THENCE CONTINUING NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 05° 25' 53", AN ARC LENGTH OF 123.08 FEET TO A POINT ON THE WESTERLY LINE OF PARCEL 1 OF STATE HIGHWAY RELINQUISHMENT NO. 916 PER STATE HIGHWAY MAP BOOK 10, PAGES 46-48, INCLUSIVE IN THE OFFICE OF THE ORANGE COUNTY RECORDER, SAID POINT BEING ALSO THE CUSP OF A CURVE CONCAVE TO THE WEST, HAVING A RADIUS OF 91.00 FEET, A RADIAL BEARING TO SAID POINT BEARS SOUTH 67° 19'42" WEST;

THENCE SOUTHERLY ALONG SAID WESTERLY LINE AND ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 13° 03' 57", AN ARC LENGTH OF 20.75 FEET TO THE BEGINNING OF COMPOUND CURVE CONCAVE TO THE WEST HAVING A RADIUS OF 35.00 FEET, A RADIAL BEARING TO SAID POINT BEARS NORTH 80° 23' 39" EAST;

THENCE CONTINUING SOUTHERLY ALONG SAID WESTERLY LINE AND ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 79° 08'12", AN ARC LENGTH OF 48.34 FEET TO A POINT OF NON-TANGENCY, A RADIAL BEARING TO SAID POINT BEARS SOUTH 20° 28' 09" EAST, SAID POINT BEING ALSO THE SOUTHERLY LINE OF SAID PARCEL 1 OF SAID RELINQUISHMENT NO. 916;

THENCE SOUTH 89°04' 47" EAST, ALONG SAID SOUTHERLY LINE OF PARCEL 1, A DISTANCE OF 123.66 FEET TO A POINT OF NON-TANGENCY, A RADIAL BEARING TO SAID POINT BEARS NORTH 26° 44' 31" EAST, AND THE TRUE POINT OF BEGINNING.

Containing 2929 S.F. All as shown on Exhibit "B" and by this reference made a part hereof.

Prepared by:

Jens Thielmann 2-8-08

Jens Thielmann R.C.E. 25742

My Lic. Expires 12/31/09




EXHIBIT "B"

MAP DEPICTING THE PROPERTY

[Behind this sheet.]

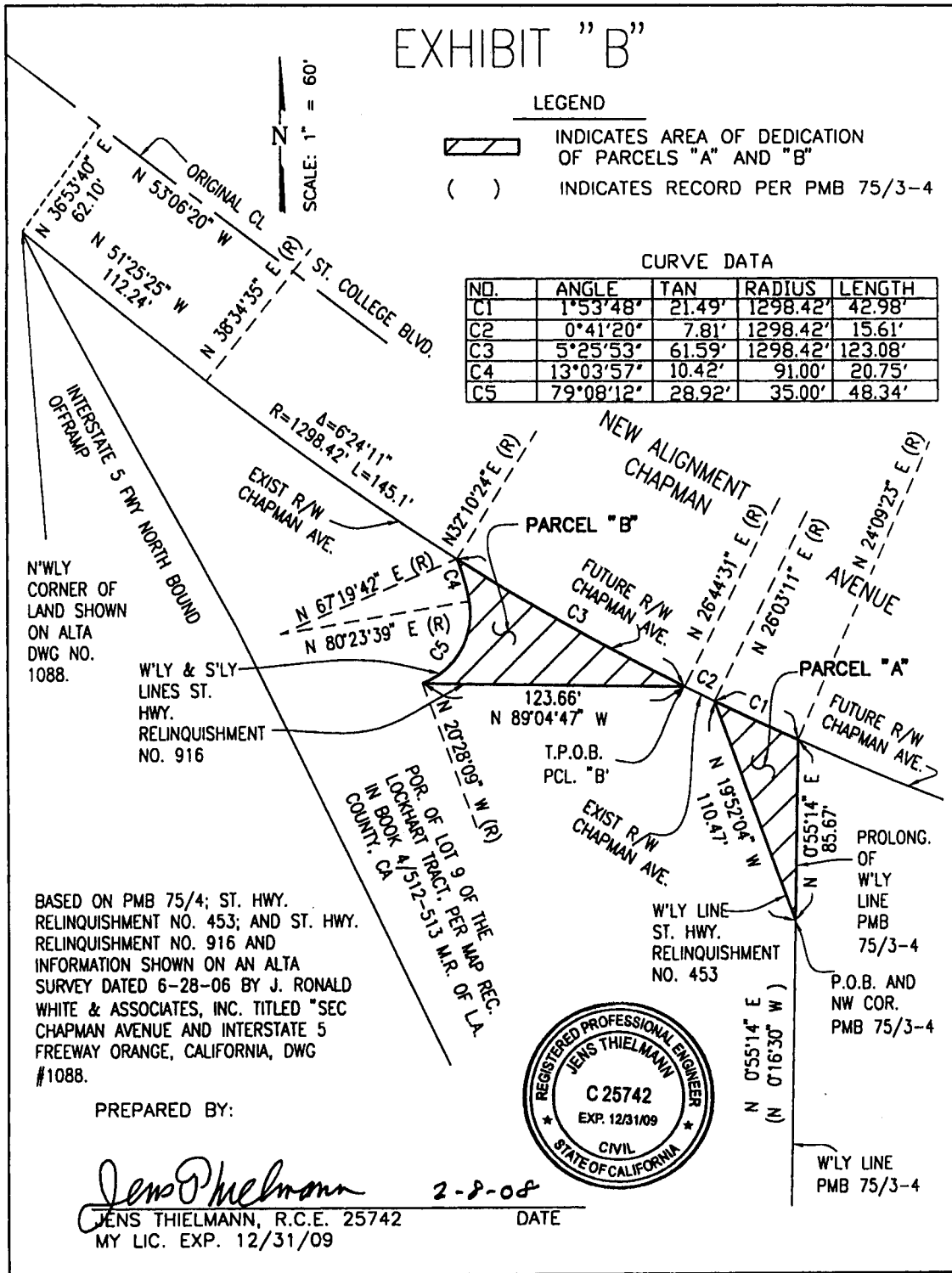
EXHIBIT "B"

LEGEND

-  INDICATES AREA OF DEDICATION OF PARCELS "A" AND "B"
- () INDICATES RECORD PER PMB 75/3-4

CURVE DATA

NO.	ANGLE	TAN	RADIUS	LENGTH
C1	1°53'48"	21.49'	1298.42'	42.98'
C2	0°41'20"	7.81'	1298.42'	15.61'
C3	5°25'53"	61.59'	1298.42'	123.08'
C4	13°03'57"	10.42'	91.00'	20.75'
C5	79°08'12"	28.92'	35.00'	48.34'



BASED ON PMB 75/4; ST. HWY. RELINQUISHMENT NO. 453; AND ST. HWY. RELINQUISHMENT NO. 916 AND INFORMATION SHOWN ON AN ALTA SURVEY DATED 6-28-06 BY J. RONALD WHITE & ASSOCIATES, INC. TITLED "SEC CHAPMAN AVENUE AND INTERSTATE 5 FREEWAY ORANGE, CALIFORNIA, DWG #1088.

PREPARED BY:

Jens Thielmann
 JENS THIELMANN, R.C.E. 25742
 MY LIC. EXP. 12/31/09

2-8-08

DATE

