

MODESTO REDEVELOPMENT AGENCY  
RESOLUTION NO. 1-95

A RESOLUTION APPROVING AN AGREEMENT BETWEEN THE MODESTO REDEVELOPMENT AGENCY AND ROBERT L. CRISP, MAI TO APPRAISE THE PROPERTY NEEDED FOR THE PLAZA PROJECT

BE IT HEREBY RESOLVED by the Redevelopment Agency of the City of Modesto that the agreement between the Redevelopment Agency and Robert L. Crisp, MAI to appraise the property needed for the Plaza project be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated agency officials be authorized.

The foregoing resolution was introduced at a special meeting of the Redevelopment Agency of the City of Modesto held on the 3rd day of January, 1995, by Agency member Friedman , who moved its adoption, which motion being duly seconded by Agency member Lang , was upon roll call carried and the resolution adopted by the following vote:

AYES: Agency members: Cogdill, Dobbs, Friedman, Muratore,  
Mayor Lang

NOES: Agency members: None

ABSENT: Agency members: Patterson

ATTEST:   
NORRINE COYLE, Secretary

MODESTO REDEVELOPMENT AGENCY  
RESOLUTION NO. 2-95

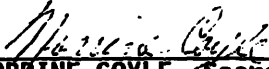
A RESOLUTION APPROVING AN AGREEMENT BETWEEN THE MODESTO REDEVELOPMENT AGENCY AND STEPHEN R. CLARK, MAI TO APPRAISE THE PROPERTY NEEDED FOR THE PLAZA PROJECT

BE IT HEREBY RESOLVED by the Redevelopment Agency of the City of Modesto that the agreement between the Redevelopment Agency and Stephen R. Clark, MAI to appraise the property needed for the Plaza project be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated agency officials be authorized.

The foregoing resolution was introduced at a special meeting of the Redevelopment Agency of the City of Modesto held on the 3rd day of January, 1995, by Agency member Friedman , who moved its adoption, which motion being duly seconded by Agency member Lang , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Agency members:	Cogdill, Dobbs, Friedman, Muratore, Mayor Lang
NOES:	Agency members:	None
ABSENT:	Agency members:	McClanahan, Patterson

ATTEST:   
NORRINE COYLE, Secretary

# RESOLUTION NO. 3-95

A RESOLUTION AMENDING THE ANNUAL BUDGET OF THE CITY OF MODESTO FOR FISCAL YEAR 1994-95.

WHEREAS, it has been determined that certain adjustments are required to the Annual Budget of the City of Modesto for the Fiscal Year 94-95 to fund two agreements with Robert L Crisp, MAI, and Stephen R Clark, MAI, to appraise property required for the Plaza project.

NOW, THEREFORE, BE IT RESOLVED by the Members of the Redevelopment Agency of the City of Modesto that changes to the Annual Budget of the City of Modesto for Fiscal Year 94-95 are as follows:

## REDEVELOPMENT FUND APPROPRIATION ADJUSTMENTS

APPROPRIATIONS			
FUND/ACCOUNT DESCRIPTION	CURRENT BUDGET	ADJUSTMENT	REVISED BUDGET
Downtown Park			
907-140-1492-0467 Land Acquisition Exp	0	53,050	53,050
907-800-8000-8003 Contingency Reserve	32,804	(53,050)	(20,246)
Total Appropriation Adjustment		0	

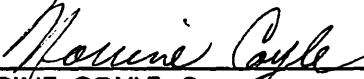
BE IT FURTHER RESOLVED that the Director of Finance is hereby authorized to take the necessary steps to implement the provisions of this resolution.

The foregoing resolution was introduced at a special meeting of the Redevelopment Agency of the City of Modesto held on the 3rd day of January, 1995, by Agency Member Friedman, who moved its adoption, which motion being duly seconded by Agency Member Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Agency Members: Cogdill, Dobbs, Friedman, Muratore,  
Mayor Lang

NOES: Agency Members: None

ABSENT: Agency Members: McClanahan, Patterson

ATTEST:   
NORRINE COYLE, Secretary

(SEAL)

APPROVED AS TO FORM:

By   
MICHAEL D. MILICH, General Counsel

MODESTO REDEVELOPMENT AGENCY  
RESOLUTION NO. 4-95

A RESOLUTION AMENDING THE ANNUAL BUDGET OF  
THE CITY OF MODESTO FOR THE FISCAL YEAR  
1994-95.

WHEREAS, it has been determined that certain adjustments are required to the Annual Budget of the City of Modesto for the Fiscal Year 1994-95 to fund additional contributions to McClatchy Square.

NOW, THEREFORE, BE IT RESOLVED by the Agency Members of the Redevelopment Agency of the City of Modesto that the changes to the Annual Budget of the City of Modesto for Fiscal Year 1994-95 are as follows:

REDEVELOPMENT FUND  
APPROPRIATIONS ADJUSTMENTS

<u>Fund/Account</u>	<u>Description</u>	<u>Current Budget</u>	<u>Adjustment</u>	<u>Revised Budget</u>
Downtown Park				
908-020-E599-6040	Construction	\$ 31,000	\$9,000	\$ 40,000
Master Plan CIP				
908-700-7000-9010	Transfer Out	\$ 250,283	\$9,000	\$ 259,283
General Fund				
010-700-7000-7908	Transfer Out	\$ 250,283	\$9,000	\$ 259,283
010-800-8000-8003	Contingency Reserve	\$2,960,080	(\$9,000)	\$2,951,080
Total Appropriation Adjustment			0	

BE IT FURTHER RESOLVED that the Finance Director is hereby authorized to take the necessary steps to implement the provisions of this resolution.

The foregoing resolution was introduced at a special meeting of the Redevelopment Agency of the City of Modesto held on the 24th day of January, 1995, by Agency Member Muratore, who moved its adoption, which motion being duly seconded by Agency Member Friedman, was upon roll call carried and the resolution adopted by the following vote:

AYES: Agency Members: Cogdill, Dobbs, Friedman, McClanahan, Muratore, Mayor Lang

NOES: Agency Members: None

ABSENT: Agency Members: Patterson

ATTEST: Norrine Coyle  
NORRINE COYLE Secretary

(SEAL)

APPROVED AS TO FORM:

By Michael D. Milich  
MICHAEL D. MILICH, General Counsel

MODESTO REDEVELOPMENT AGENCY  
RESOLUTION NO. 5-95

A RESOLUTION AMENDING THE ANNUAL BUDGET OF  
THE REDEVELOPMENT AGENCY FOR FY 1994-95, AND  
RE-ESTIMATING REVENUE FOR FY 1994-95.  
(Excludes Downtown Plaza Project.)

WHEREAS, it has been determined that certain  
adjustments are required to the Annual Budget of the  
Redevelopment Agency for FY 1994-95,

NOW, THEREFORE, BE IT RESOLVED by the Redevelopment  
Agency of the City of Modesto that the changes listed in Schedule  
"A", attached hereto and incorporated herein by reference, not  
including the downtown plaza project, are hereby approved for the  
purpose of amending the Annual Budget of the Redevelopment Agency  
for FY 1994-95 and to re-estimate revenue for said FY 1994-95.

The foregoing resolution was introduced at a special  
meeting of the Redevelopment Agency of the City of Modesto held  
on the 14th day of February, 1995, by Agency Member Friedman, who  
moved its adoption, which motion being duly seconded by Agency  
Member McClanahan, was upon roll call carried and the resolution  
adopted by the following vote:

AYES: Agency Members: Cogdill, Dobbs, Friedman, McClanahan  
Muratore, Mayor Lang

NOES: Agency Members: None

ABSENT: Agency Members: Patterson

ATTEST: *Norrine Coyle*  
NORRINE COYLE Secretary

(SEAL)

APPROVED AS TO FORM:

By *Michael D. Milich*  
MICHAEL D. MILICH, General Counsel

					Current Budget	Revenue Increase/ (Decrease) Amount	Appropriations Increase/ (Decrease) Amount	Revised Budget
<b>RDA CHARGES</b>								
Salaries	905	140	1490	0114	1,256		(597)	659
Salaries	905	140	1490	0110	28,576		(28,576)	0
Salaries	905	140	1490	0111	1,962		(1,962)	0
Transfer Out	905	700	7000	7907	0		31,135	31,135
Contingency Reserve	905	800	8000	8003	(13,953)		13,953	0
Transfer In	905	700	7000	9908	0	13,953		13,953
Sale of Property	908	140	1493	8101	460,000	51,923		511,923
Transfer Out	908	700	7000	7907	0		51,923	51,923
Contingency Reserve	908	800	8000	8003	224,283		(100,000)	124,283
Transfer Out	908	700	7000	7907	51,923		100,000	151,923
Contingency Reserve	908	800	8000	8003	124,283		(13,953)	110,330
Transfer Out ..	908	700	7000	7905	0		13,953	13,953
<b>WORKERS' COMP REBATE</b>								
Transfer In	905	700	7000	9732	0	38		38
Contingency Reserve	905	800	8000	8003	0		38	38
Transfer Out	732	700	7000	7905	0		38	38
Claims Expense	732	030	6610	0410	2,127,938		(38)	2,127,900

Exhibit "A"

MODESTO REDEVELOPMENT AGENCY  
RESOLUTION NO. 6-95

A RESOLUTION AMENDING THE ANNUAL BUDGET OF  
THE REDEVELOPMENT AGENCY FOR FY 1994-95, AND  
RE-ESTIMATING REVENUE FOR FY 1994-95.  
(Includes Downtown Plaza Project.)

WHEREAS, it has been determined that certain  
adjustments are required to the Annual Budget of the  
Redevelopment Agency for FY 1994-95,

NOW, THEREFORE, BE IT RESOLVED by the Redevelopment  
Agency of the City of Modesto that the changes listed in Schedule  
"A", attached hereto and incorporated herein by reference, which  
includes the downtown plaza project, are hereby approved for the  
purpose of amending the Annual Budget of the Redevelopment Agency  
for FY 1994-95 and to re-estimate revenue for said FY 1994-95.

The foregoing resolution was introduced at a special  
meeting of the Redevelopment Agency of the City of Modesto held  
on the 14th day of February, 1995, by Agency Member Muratore, who  
moved its adoption, which motion being duly seconded by Agency  
Member Cogdill, was upon roll call carried and the resolution  
adopted by the following vote:

AYES: Agency Members: Cogdill, Dobbs, Friedman, Muratore,  
Mayor Lang

NOES: Agency Members: None

ABSENT: Agency Members: McClanahan, Patterson

ATTEST: Norrine Coyle  
NORRINE COYLE, Secretary

(SEAL)

APPROVED AS TO FORM:

By Michael D. Milich  
MICHAEL D. MILICH, General Counsel

					Current Budget	Revenue Increase/ (Decrease) Amount	Appropriations Increase/ (Decrease) Amount	Revised Budget
<b>RDA CHARGES</b>								
Professional Services	907	140	1492	0235	5,834		31,135	36,969
Transfer In	907	700	7000	9905	0	31,135		31,135
Professional Services	907	140	1492	0235	36,969		51,923	88,892
Transfer In	907	700	7000	9908	0	51,923		51,923
Professional Services	907	140	1492	0235	88,892		100,000	188,892
Transfer In	907	700	7000	9908	51,923	100,000		151,923

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Exhibit "A"

MODESTO REDEVELOPMENT AGENCY  
RESOLUTION NO. 7-95

A RESOLUTION APPROVING AN AGREEMENT BETWEEN THE REDEVELOPMENT AGENCY AND MEYERS, NAVE, RIBACK, SILVER AND WILSON TO PROVIDE LEGAL SERVICES RELATED TO THE PLAZA PROJECT

BE IT HEREBY RESOLVED by the Redevelopment Agency of the City of Modesto that the agreement between the Agency and Meyers, Nave, Riback, Silver and Wilson to provide legal services related to the Plaza Project be, and it is hereby approved.

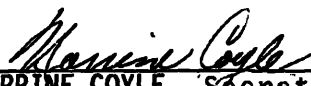
BE IT FURTHER RESOLVED that the execution of said agreement by the designated agency officials be authorized.

The foregoing resolution was introduced at a special meeting of the Redevelopment Agency of the City of Modesto held on the 28th day of March, 1995, by Agency member Muratore , who moved its adoption, which motion being duly seconded by Agency member Cogdill , was upon roll call carried and the resolution adopted by the following vote:

AYES: Agency members: Cogdill, Dobbs, Friedman, Muratore,  
Mayor Lang

NOES: Agency members: None

ABSENT: Agency members: McClanahan, Patterson

ATTEST:   
NORRINE COYLE, Secretary

MODESTO REDEVELOPMENT AGENCY  
RESOLUTION NO. 8-95

A RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR AND SECRETARY TO SIGN AN EASEMENT DEED TO MODESTO IRRIGATION DISTRICT TO SERVE THE MCDONALD'S RESTAURANT PROJECT

BE IT HEREBY RESOLVED by the Redevelopment Agency of the City of Modesto that authorization for the Executive Director and Secretary to sign an easement deed to Modesto Irrigation District to serve the McDonald's Restaurant project be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said easement deed by the designated agency officials be authorized.

The foregoing resolution was introduced at a special meeting of the Redevelopment Agency of the City of Modesto held on the 28th day of March, 1995, by Agency member Cogdill , who moved its adoption, which motion being duly seconded by Agency member Dobbs , was upon roll call carried and the resolution adopted by the following vote:

AYES: Agency members: Cogdill, Dobbs, Friedman, McClanahan,  
Muratore, Chairperson Lang

NOES: Agency members: None

ABSENT: Agency members: Patterson

ATTEST:   
NORRINE COYLE, Secretary

MODESTO REDEVELOPMENT AGENCY  
RESOLUTION NO. 9-95

A RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR TO SIGN AGREEMENTS WITH 18 APPLICANTS FOR PARTICIPATION IN THE FACADE IMPROVEMENT REBATE PROGRAM

WHEREAS, in September, 1994, the Redevelopment Agency authorized staff to implement the Facade Improvement Rebate Program; and

WHEREAS, subsequent advertising brought applications for projects consisting of paintings to some substantial architectural refurbishing; and

WHEREAS, 18 projects were selected by the Design Committee of the Redevelopment Commission and reviewed and approved by the Redevelopment Commission at their March 1, 1995 meeting.

BE IT HEREBY RESOLVED by the Redevelopment Agency of the City of Modesto that the Executive Director is authorized to sign agreements with 18 applicants for participation in the Facade Improvement Rebate Program be.

BE IT FURTHER RESOLVED that the execution of said agreements by the designated agency official be authorized.

The foregoing resolution was introduced at a special meeting of the Redevelopment Agency of the City of Modesto held on the 28th day of March, 1995, by Agency member Cogdill , who moved its adoption, which motion being duly seconded by Agency member Dobbs , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Agency members:	Cogdill, Dobbs, Friedman, McClanahan, Muratore, Chairperson Lang
NOES:	Agency members:	None
ABSENT:	Agency members:	Patterson

ATTEST: Norrine Coyle  
NORRINE COYLE, Secretary

MODESTO REDEVELOPMENT AGENCY  
RESOLUTION NO. 10-95

A RESOLUTION APPROVING AN AMENDED AGREEMENT BETWEEN THE CITY OF MODESTO AND  
STEPHEN R. CLARK, MAI, FOR PLAZA PROJECT APPRAISALS

BE IT HEREBY RESOLVED by the Redevelopment Agency of the City of Modesto  
that the amended agreement between the Redevelopment Agency and Stephen R. Clark,  
MAI, for Plaza Project appraisals be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said amended agreement by the  
designated agency officials be authorized.

The foregoing resolution was introduced at a special meeting of the  
Redevelopment Agency of the City of Modesto held on the 28th day of March,  
1995, by Agency member Muratore , who moved its adoption, which motion being  
duly seconded by Agency member Cogdill , was upon roll call carried and the  
resolution adopted by the following vote:

AYES:	Agency members:	Cogdill, Dobbs, Friedman, Muratore, Chairperson Lang
NOES:	Agency members:	None
ABSENT:	Agency members:	McClanahan, Patterson

ATTEST:   
NORRINE COYLE, Secretary

MODESTO REDEVELOPMENT AGENCY  
RESOLUTION NO. 11-95

A RESOLUTION APPROVING AN AMENDED AGREEMENT BETWEEN THE CITY OF MODESTO AND ROBERT L. CRISP, MAI, FOR PLAZA PROJECT APPRAISALS

BE IT HEREBY RESOLVED by the Redevelopment Agency of the City of Modesto that the amended agreement between the Redevelopment Agency and Robert L. Crisp, MAI, for Plaza Project appraisals be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said amended agreement by the designated agency officials be authorized.

The foregoing resolution was introduced at a special meeting of the Redevelopment Agency of the City of Modesto held on the 28th day of March, 1995, by Agency member Muratore , who moved its adoption, which motion being duly seconded by Agency member Cogdill , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Agency members:	Cogdill, Dobbs, Friedman, Muratore, Chairperson Lang
NOES:	Agency members:	None
ABSENT:	Agency members:	McClanahan, Patterson

ATTEST:

  
NORRINE COYLE, Secretary

MODESTO REDEVELOPMENT AGENCY  
RESOLUTION NO. 11A-95

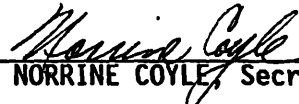
A RESOLUTION APPROVING A RIGHT OF ENTRY AGREEMENT WITH MATTHEW WARD AND JOHN WARD, FOR A PHASE I ENVIRONMENTAL SITE ASSESSMENT FOR THE PLAZA PROJECT

BE IT HEREBY RESOLVED by the Redevelopment Agency of the City of Modesto that the agreement between the Redevelopment Agency and Matthew Ward and John Ward to allow entry for a Phase I Environmental Site Assessment for the Plaza Project be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated agency officials be authorized.

The foregoing resolution was introduced at a special meeting of the Redevelopment Agency of the City of Modesto held on the 25th day of April, 1995, by Agency member Muratore , who moved its adoption, which motion being duly seconded by Agency member Cogdill , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Agency members:	Cogdill, Dobbs, Friedman, Muratore, Mayor Lang
NOES:	Agency members:	None
ABSENT:	Agency members:	McClanahan, Patterson

ATTEST:   
NORRINE COYLE, Secretary

MODESTO REDEVELOPMENT AGENCY  
RESOLUTION NO. 12-95

A RESOLUTION APPROVING A RIGHT OF ENTRY AGREEMENT WITH WELLS FARGO BANK, N.A., TRUSTEE FOR THE WEINFLASH FAMILY TRUST FOR A PHASE I ENVIRONMENTAL SITE ASSESSMENT FOR THE PLAZA PROJECT

BE IT HEREBY RESOLVED by the Redevelopment Agency of the City of Modesto that the agreement between the Redevelopment Agency and Wells Fargo Bank, N.A., Trustee for the Weinflash Family Trust to allow entry for a Phase I Environmental Site Assessment for the Plaza Project be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated agency officials be authorized.

The foregoing resolution was introduced at a special meeting of the Redevelopment Agency of the City of Modesto held on the 25th day of April, 1995, by Agency member Friedman , who moved its adoption, which motion being duly seconded by Agency member Dobbs , was upon roll call carried and the resolution adopted by the following vote:

AYES: Agency members: Cogdill, Dobbs, Friedman, Muratore,  
Mayor Lang

NOES: Agency members: None

ABSENT: Agency members: McClanahan, Patterson

ATTEST:   
NORRINE COYLE, Secretary

MODESTO REDEVELOPMENT AGENCY  
RESOLUTION NO. 13-95

A RESOLUTION AMENDING THE ANNUAL BUDGET OF  
THE REDEVELOPMENT AGENCY FOR THE THIRD  
QUARTER OF FISCAL YEAR 1994-95.

WHEREAS, it has been determined that certain  
adjustments are required to the Annual Budget of the  
Redevelopment Agency for the third quarter of Fiscal Year  
1994-95,

NOW, THEREFORE, BE IT RESOLVED by the Agency Members of  
the Redevelopment Agency of the City of Modesto that the 1994-95  
Annual Budget be amended as listed on Schedule "A" attached.

BE IT FURTHER RESOLVED that the Finance Director is  
hereby authorized to take the necessary steps to implement the  
provisions of this resolution.

The foregoing resolution was introduced at a special meeting of the Redevelopment Agency of the City of Modesto held on the 25th day of April, 1995, by Agency Member Friedman, who moved its adoption, which motion being duly seconded by Agency Member Cogdill, was upon roll call carried and the resolution adopted by the following vote:

AYES: Agency Members: Cogdill, Dobbs, Friedman, McClanahan, Muratore

NOES: Agency Members: None

ABSENT: Agency Members: Mayor Lang, Patterson

ATTEST: Norrine Coyle  
NORRINE COYLE, Secretary

(SEAL)

APPROVED AS TO FORM:

By Michael D. Milich  
MICHAEL D. MILICH, General Counsel

	<i>FY</i>	<i>FD</i>	<i>AGY</i>	<i>ORGN</i>	<i>OBJT/ REV</i>	<i>AMOUNT</i>	<i>TOTAL BY FUND</i>
<b>EXPENSE-RESERVE</b>	95	902	800	8000	8003	70,060	
<b>REVENUE</b>	95	902	510	9510	6101	70,060	0
<b>EXPENSE-RESERVE</b>	95	906	800	8000	8003	8,090	
<b>REVENUE</b>	95	906	510	9510	6101	8,090	0

AGENCY RESOLUTION NO. 14-95

A RESOLUTION OF THE REDEVELOPMENT AGENCY OF THE CITY OF MODESTO APPROVING AND AUTHORIZING AN ASSIGNMENT AND ASSUMPTION RELATING TO THAT CERTAIN DISPOSITION AND DEVELOPMENT AGREEMENT BETWEEN THE AGENCY AND WILMORE/REGENT PARTNERSHIP.

WHEREAS, the Redevelopment Agency of the City of Modesto (the "Agency") is carrying out the Redevelopment Plan (the "Redevelopment Plan") for the Modesto Redevelopment Project (the "Project"), and

WHEREAS, in implementation of the Redevelopment Plan, the Agency has approved and authorized execution of a Disposition and Development Agreement (the "DDA") between the Agency and WILMORE/REGENT PARTNERSHIP, a Georgia general partnership, doing business as WILJAN MODESTO PARTNERSHIP (the "Developer" under the DDA), providing for, among other things, (a) the acquisition of certain property (the "Site") located within the City of Modesto, (b) the sale of a portion of the Site (the "Developer Parcels") to the Developer, and retention by the Agency of a portion of the Site (the "Agency Parcels"), and (c) the development by the Developer of a mixed-use center (the "Plaza Project"), including (i) retail uses, cinema complex and office space to be developed on the Developer Parcels and owned and operated by the Developer, (ii) public parking garage (the "Public Parking Garage") to be developed on a portion of the Agency Parcels and to be owned and operated by the Agency, (iii) school facilities improvements (the

"School Facilities") to be developed by the Developer on a portion of the Agency Parcels (the "Schools Parcel"), to be owned by the School Districts (as defined in the DDA), and (iv) city hall improvements (the "City Hall") to be developed on a portion of the Agency Parcels (the "City Parcel"), to be owned and operated by the City of Modesto (the "City"), and

WHEREAS, pursuant to the DDA, the Agency and Developer will enter into separate Public Improvements Development Agreements, attached to and incorporated into the DDA as Attachment No. 7, for development on the Agency Parcels of the Public Parking Garage, to be paid for by the Agency; the School Facilities, to be paid for by the School Districts with a contribution from the Agency, and to be subsequently conveyed to the School Districts; and the City Hall, to be paid for by the City, and to be subsequently conveyed to the City, and

WHEREAS, the Developer desires to assign the DDA to a limited liability corporation to be formed, whose members will be Wilmore Development Corporation, a California corporation, or one of its affiliates, and Fluor Daniel Modesto, Inc., a California corporation, or one of its affiliates, (the "LLC") and the LLC desires to assume all of the rights and obligations of the Developer under the DDA, and

WHEREAS, in light of the current conditions, the Agency wishes to allow the Wilmore/Regent Partnership to assign its rights and obligations as the Developer under the DDA to the LLC,

and

WHEREAS, the assignment to and assumption by the LLC of the rights and obligations of the Developer under the DDA does not substantially change the provisions of the DDA, the cost of the DDA to the Agency, or any of the financial terms of the DDA,

NOW, THEREFORE, THE REDEVELOPMENT AGENCY OF THE CITY OF MODESTO DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. In conjunction with the assignment and assumption of the DDA as provided for in this Resolution, the Agency hereby approves, authorizes and directs the Executive Director of the Agency to execute, on behalf of the Agency, the Mutual Release between Regent Modesto Holdings, Inc., a Georgia corporation, Regent Partners, Inc., a Georgia corporation, and the Agency, in substantially the form attached hereto as Exhibit A.

Section 2. Subject to the conditions set forth in this Section 2, the Agency hereby approves the assignment to and assumption by the LLC of all rights and obligations of the Developer under the DDA, and approves the release of Wilmore/Regent Partnership from its obligations as Developer under the DDA. The assignment and assumption of Wilmore/Regent Partnership's rights and obligations under the DDA to the LLC as the new Developer, as provided for in this Section 2, are subject to and conditioned upon the approval by the Executive Director of the Agency, upon the advice of the Agency's special counsel, of

the formation documents for the LLC.

Section 3. The Agency hereby further approves, authorizes and directs the Executive Director and Secretary of the Agency to execute, on behalf of the Agency, an agreement of assignment and assumption containing such terms and conditions as are consistent with the provisions of this Resolution and approved by the Agency's special counsel. The Executive Director is further authorized and directed to take such actions and execute such documents as are necessary or appropriate in connection with such assignment and assumption and to carry out the DDA as so assigned and assumed, including without limitation execution of the Public Improvements Development Agreements with the LLC pursuant to the DDA.

The foregoing resolution was introduced at a special meeting of the Redevelopment Agency of the City of Modesto held on the 20th day of June, 1995, by Agency Member Cogdill, who moved its adoption, which motion being duly seconded by Agency Member Muratore was upon roll call carried and the resolution adopted by the following vote:

AYES: Agency Members: Cogdill, Dobbs, Friedman, Muratore, Mayor Lang

NOES: Agency Members: None

ABSENT: Agency Members: McClanahan, Patterson

ATTEST: *Norrine Coyle*  
NORRINE COYLE, Secretary

(SEAL)

APPROVED AS TO FORM:

By *Iris Yang*  
IRIS YANG, Agency Special Counsel

## MUTUAL RELEASE

THIS MUTUAL RELEASE ("Mutual Release") dated \_\_\_\_\_ ("Effective Date"), is entered into by and between Regent Modesto Holdings, Inc., a Georgia corporation ("RMHI"), and Regent Partners, Inc., a Georgia corporation, on the one hand (collectively, "Regent"), and The Redevelopment Agency of the City of Modesto ("Agency").

## RECITALS

WHEREAS, on or about May 19, 1994, Regent and Wilmore Development Company, a California corporation ("Wilmore"), formed that certain partnership known as Wilmore/Regent Partnership, a Georgia general partnership (the "Partnership"), pursuant to that certain Agreement of Partnership of Wilmore/Regent Partnership (the "Partnership Agreement");

WHEREAS, the Partnership has entered into negotiations of a Disposition and Development Agreement ("DDA") with the Agency;

WHEREAS, Wilmore has executed the DDA and delivered the DDA for execution by Regent;

WHEREAS, Wilmore and Regent have entered into that certain Settlement Agreement and Mutual Release ("Settlement Agreement") whereby Regent agreed to execute the DDA and withdraw from the Partnership as a Partner of the Partnership, provided the Agency executes this Mutual Release;

WHEREAS, the Agency has approved the DDA, the assignment of Regent's interest in the Partnership to Wilmore or its designee, and the release of Regent as set forth herein; and

WHEREAS, the parties desire to execute this Mutual Release to obtain from the other the release set forth herein.

NOW, THEREFORE, in consideration of the mutual covenants and agreements contained herein, and for other good and valuable consideration, and with the intent to be legally bound, the parties hereto agrees as follows:

## AGREEMENT

1. Execution of DDA by Regent. Concurrently with its execution of this Mutual Release, Regent agrees to execute and deliver the DDA to Iris P. Yang of McDonough, Holland and Allen ("Escrow Agent").

2. Execution of DDA by Agency and Approval of Assignment. Concurrently with its execution of this Agreement, the Agency agrees to execute and deliver the DDA to Escrow Agent. Agency hereby approves the assignment of the Assigned Interest (as defined in the Settlement Agreement) from Regent to Wilmore or its designee.

3. Mutual Releases.

(a) The Redevelopment Agency of the City of Modesto ("Agency") hereby releases, acquits, relieves and forever discharges Regent, Modesto Holdings, Inc., and Regent Partners, Inc., and its predecessors, successors, assigns, employees, officers, directors,

shareholders, current and future partners (whether now existing or hereinafter arising), current and future partnerships (whether now existing or hereinafter arising), current and future joint venturers (whether now existing or hereinafter arising), representatives, consultants, attorneys, parent companies, subsidiaries, divisions or affiliated companies or organizations, whether previously or hereinafter affiliated in any manner (collectively, the "Regent Releasees"), from any and all claims, rights, actions, complaints, demands, causes of action, obligations, controversies, suits, debts, expenses, damages, attorneys' fees, costs and liabilities of any nature whatsoever, whether known or not now known, suspected or claimed, matured or unmatured, fixed or contingent, which the Agency ever had, now has or may claim to have against Regent Releasees by reason of any act, event or omission concerning (a) the Project; (b) the DDA; (c) the ANE; and (d) any additional Projects. The foregoing release is given to Regent notwithstanding that Regent shall execute the DDA; it being acknowledged by the Agency that Regent is no longer a partner of the Partnership, and is no longer responsible for any obligations of the Partnership, including the obligations of the Partnership under the DDA[~~fax was cut-off~~].

(b) Release of Agency and City by Regent. Regent hereby releases, acquits, relieves and forever discharges Agency, City of Modesto, and their predecessors, successors, assigns, employees, representatives, consultants, attorneys, affiliated organizations, whether previously or hereinafter affiliated in any manner (collectively, the "Agency and City Releasees"), from any and all claims, rights, actions, complaints, demands, causes of action, obligations, controversies, suits, debts, expenses, damages, attorneys' fees, costs and liabilities of any nature whatsoever, whether known or not now known, suspected or claimed, matured or unmatured, fixed or contingent, which Regent ever had, now has or may claim to have from the beginning of time to the date of this Mutual Release against Agency and City Releasees by reason of any act, event or omission concerning (a) the Cross-Complaint; (b) the Partnership; (c) the Partnership Agreement; (d) the Project; (e) the DDA; (f) the ANE; or (g) any additional Projects.

4. Assumption of Risk of Different Facts. The parties hereto each acknowledge that they may hereafter discover facts different from or in addition to those they now know or believe to be true with respect to the claims, demands, causes of action, obligations, damages, and liabilities of any nature whatsoever that are subject of the releases set forth in this Mutual Release, and they each expressly agree to assume the risk of the possible discovery of additional or different facts, and agree that this Mutual Release shall be and remain effective in all respects regardless of such additional or different facts.

5. Waiver of California Civil Code Section 1542 and Similar Georgia Statutes. The parties hereto understand and agree that they expressly waive and relinquish all rights and benefits they may have under Section 1542 of the Civil Code of the State of California, or any similar law or statute in the State of Georgia, with respect to the claims that are the subject of the releases set forth in Paragraph 3 of this Mutual Release. California Civil Code Section 1542 reads as follows:

**"§1542 [CERTAIN CLAIMS NOT AFFECTED BY GENERAL RELEASE.] A GENERAL RELEASE DOES NOT EXTEND TO CLAIMS WHICH THE CREDITOR DOES NOT KNOW OR SUSPECT TO EXIST IN HIS FAVOR AT THE TIME OF EXECUTING THE RELEASE, WHICH IF KNOWN BY HIM MUST HAVE MATERIALLY AFFECTED HIS SETTLEMENT WITH THE DEBTOR."**

6. Successors and Assigns. This Mutual Release, and all of the terms and provisions hereof, shall be binding upon and shall inure to the benefit of the parties and their respective heirs, legal representatives, successors and assigns.

7. **Counterparts.** This Mutual Release may be executed in two (2) or more counterparts and the counterparts signed in the aggregate shall constitute a single, original instrument.

8. **Joint Preparation.** The parties acknowledge that this Mutual Release was jointly prepared by them, by and through their respective legal counsel, and any uncertainty or ambiguity existing herein shall not be interpreted against any of the parties, but otherwise according to the application of the rules of interpretation of contracts.

9. **Voluntary Execution on Advice of Counsel.** This Mutual Release in all respects has been voluntarily and knowingly executed by the parties on advice and with approval of legal counsel. The parties represent and warrant that they consulted with their attorneys prior to executing this Mutual Release. The parties represent and warrant that they have thoroughly discussed all aspects of this Mutual Release with their attorneys, that they have carefully read and fully understand all of the provisions of this Mutual Release, and that they are voluntarily entering into this Mutual Release.

10. **Severability.** Should any portion, word, clause, phrase, sentence or paragraph of this Mutual Release be declared void or unenforceable, such portion shall be considered independent and severable from the remainder, the validity of which shall remain unaffected.

11. **Gender and Number.** Whenever required by the context, as used in this Mutual Release, the singular number shall include the plural, and the masculine gender shall include the feminine and the neuter, and vice versa.

12. **Captions.** The captions or the paragraphs of this Mutual Release are for convenience only and shall not be considered or referred to in resolving questions of construction and/or interpretation.

13. **Further Actions.** Each of the parties hereto agrees to take any and all actions reasonably necessary in order to effectuate the intent, and to carry out the provisions, of this Mutual Release.

14. **Entire Agreement.** This Mutual Release constitutes the entire agreement between the parties who have executed it and supersedes any and all other agreements, understandings, negotiations or discussions, either oral or in writing, express or implied, between the parties to this Mutual Release. The parties to this Mutual Release each acknowledge that no representations, inducements, promises, agreements or warranties, oral or otherwise, have been made by them, or anyone acting on their behalf, which are not embodied in this Mutual Release, that they have not executed this Mutual Release in reliance on any such representation, inducement, promise, agreement or warranty, and that no representation, inducement, promise, agreement or warranty not contained in this Mutual Release including, but not limited to, any purported supplements, modifications, waivers or terminations of this Mutual Release shall be valid or binding, unless executed in writing by all of the parties to this Mutual Release.

15. **No Waiver.** Failure to insist on compliance with any term, covenant or condition contained in this Mutual Release shall not be deemed a waiver of that term, covenant or condition, nor shall any waiver or relinquishment of any right or power contained in this Mutual Release at any one time or more times be deemed a waiver or relinquishment of any right or power at any other time or times.

16. Governing Law. This Mutual Release shall be enforced and governed by the laws of the State of California. Any dispute regarding any aspect of this Mutual Release, or act which allegedly has or would violate any provision of this Mutual Release, will be submitted to final and binding arbitration before a retired judge associated with, and selected with the rules of, Judicial Arbitration and Mediation Services, Inc. ("JAMS"), as the exclusive remedy for such claim or dispute, and such proceeding shall be held in Sacramento, California. Judgment upon the award rendered by the JAMS judge may be entered into by any court having jurisdiction thereof. The prevailing party in any proceeding brought to enforce the terms of this Mutual Release shall be entitled to recover from the other party all damages, costs and expenses including, without limitation, attorneys' and arbitrators' fees, incurred as a result of such action.

IN WITNESS WHEREOF, the undersigned have executed this Mutual Release on the dates set forth hereinafter.

Dated: \_\_\_\_\_, 1995.

REDEVELOPMENT AGENCY OF THE CITY OF MODESTO

BY: \_\_\_\_\_  
Executive Director

ATTEST:

BY: \_\_\_\_\_  
NORRINE COYLE, Secretary

Dated: \_\_\_\_\_, 1995

REGENT MODESTO HOLDINGS, INC.,  
a Georgia corporation

BY: \_\_\_\_\_  
DAVID B. ALLMAN, President

Dated: \_\_\_\_\_, 1995

REGENT PARTNERS, INC.,  
a Georgia corporation

BY: \_\_\_\_\_  
DAVID B. ALLMAN, President

MODESTO REDEVELOPMENT AGENCY  
RESOLUTION NO. 15-95

A RESOLUTION APPROVING AN AGREEMENT BETWEEN THE REDEVELOPMENT AGENCY AND CITY OF MODESTO FOR PAYMENT OF PARKING IN CITY LOTS FOR AMERICAN MEDICAL RESPONSE

BE IT HEREBY RESOLVED by the Redevelopment Agency of the City of Modesto that the agreement between the Redevelopment Agency and the City of Modesto for payment of parking in City lots be, and it is hereby approved.

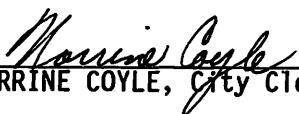
BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Redevelopment Agency of the City of Modesto held on the 22nd day of August, 1995, by Agency member Cogdill, who moved its adoption, which motion being duly seconded by Agency member Friedman, was upon roll call carried and the resolution adopted by the following vote:

AYES: Agency members: Cogdill, Dobbs, Friedman, Chairperson Lang

NOES: Agency members: McClanahan, Muratore

ABSENT: Agency members: None

ATTEST:   
NORRINE COYLE, City Clerk

MODESTO REDEVELOPMENT AGENCY  
RESOLUTION NO. 16-95

A RESOLUTION APPROVING A RIGHT OF ENTRY AND INDEMNIFICATION AGREEMENT WITH WELLS FARGO BANK, N.A., TRUSTEE FOR THE WEINFLASH FAMILY TRUST FOR A PHASE II ENVIRONMENTAL ASSESSMENT FOR THE PLAZA PROJECT

BE IT HEREBY RESOLVED by the Redevelopment Agency of the City of Modesto that the agreement between the Redevelopment Agency and Wells Fargo Bank, N.A., Trustee for the Weinflash Family Trust to allow entry and indemnification for a Phase II Environmental Assessment for the Plaza Project be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated agency officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Redevelopment Agency of the City of Modesto held on the 5th day of September, 1995, by Agency member Friedman, who moved its adoption, which motion being duly seconded by Agency member McClanahan, was upon roll call carried and the resolution adopted by the following vote:

AYES: Agency members: Cogdill, Dobbs, Friedman, McClanahan, Muratore,  
Mayor Lang

NOES: Agency members: None

ABSENT: Agency members: None

ATTEST: *Norrine Coyle*  
NORRINE COYLE, City Clerk

MODESTO REDEVELOPMENT AGENCY  
RESOLUTION NO.17-95

A RESOLUTION APPROVING AN ALLOCATION OF FUNDS  
RELATING TO THE HOME PROGRAM.

WHEREAS, HOME Program funding requests and recommended allocations were reviewed by the Citizens Housing and Community Development Committee on August 25, 1995, and

WHEREAS, Redevelopment funding requests and recommended allocations were reviewed by the Citizens Redevelopment Advisory Commission on September 6, 1995, and its Housing Committee on August 24, 1995, and

WHEREAS, the Redevelopment Housing Committee amended staff's recommendation for Stanislaus Apartments, and also recommended that if a structured-payment loan is made to Stanislaus Apartments, that the loan amount should be no greater than \$100,000, and

WHEREAS, if a deferred-payment loan is made to the project, the loan amount should be limited to \$80,000 with the \$20,000 unallocated balance going to the 620 Paradise Road project, as proposed by the Housing Authority, and

WHEREAS, the Committee endorsed the rest of staff's recommendations, with the change to Stanislaus Apartments, and

WHEREAS, Redevelopment Housing Set-aside funding requests and recommended allocation of funding was submitted to the Redevelopment Agency by a report dated September 1, 1995, from the Community Development Department, a copy of which report is marked Exhibit "A", attached hereto, and incorporated herein

by reference,

NOW, THEREFORE, BE IT RESOLVED by the Redevelopment Agency that an allocation of \$720,000 in Redevelopment Housing Set-aside Funds is hereby approved as set forth in the report dated September 1, 1995, from the Community Development Department, a copy of which report is marked Exhibit "A", attached hereto, and incorporated herein by reference.

BE IT FURTHER RESOLVED that the Executive Director, or his authorized designee, is hereby authorized to execute any and all documents that may be required in relation to the approval of said allocation of Redevelopment Housing Set-aside funds.

The foregoing resolution was introduced at a special meeting of the Modesto Redevelopment Agency held on the 12th day of September, 1995, by Agency Member Cogdill, who moved its adoption, which motion being duly seconded by Agency Member Friedman, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Agency Members:	Cogdill, Dobbs, Friedman, McClanahan, Muratore, Chairperson Lang
NOES:	Agency Members:	None
ABSENT:	Agency Members:	None

ATTEST: *Norrine Coyle*  
NORRINE COYLE, Secretary

(SEAL)

APPROVED AS TO FORM:

By *Michael D. Milich*  
MICHAEL D. MILICH, General Counsel

**TO:** Redevelopment Agency  
**FROM:** Community Development Department  
**SUBJECT:** Redevelopment Housing Set-aside Funding Requests and Recommended Allocation of Funding

**RECOMMENDED ACTION:**

Resolution Approving Staff Allocation of \$720,000 in Redevelopment Housing Set-aside Funds

**BACKGROUND:**

On June 12, 1995, the City began soliciting Proposals for affordable housing projects to be funded, in part, with HOME and/or Redevelopment funds. Eleven respondents applied for the \$550,000 in HOME funds and \$720,000 in Redevelopment funds by the July 21, 1995, response deadline.

Currently, the Agency has accrued \$480,000 in Housing Set-aside Fund and will receive an additional \$270,000 by the end of this fiscal year.

**A. Single-Family Projects:**

1. **Conant Meadows**, located at Conant Avenue and Rumble Road in North Modesto, developed by the Housing Authority County of Stanislaus.
2. **The Villages**, located at Marlow Street and Ridgecrest Drive in West Modesto, developed by Corn and Harris.
3. **Parker Place**, located at Parker Road and Claus Road in East Modesto, developed by Grant Homes.
4. **Yosemite Meadows**, located at Yosemite Boulevard and Claus Road in East Modesto, developed by Rod Lowe.
5. **Self-Help Enterprises Sweat Equity Program**, located on Paradise Road behind the multi-family project proposed by Self-Help.
6. **Habitat for Humanity**, three sites: 506 California, 1427 Ritsch Lane, and a site on Alma Avenue between Roseburg and Audrey Avenues.

**B. Multi-Family Projects:**

7. **Paradise Apartments**, located on Paradise Road, proposed by Self-Help Enterprises.
8. **620 Paradise**, proposed by the Housing Authority County of Stanislaus

10. ~~Paradise Gardens Trust-620 Paradise Road~~, proposed by a trust represented by Rod Reed.
11. Duplex on E. Coolidge Avenue, proposed by Ed. Trapp.

*See Exhibit A for a summary of the applicants funding requests.*

*See Exhibit B for a summary of staff funding recommendations.*

### **REASONS FOR RECOMMENDATIONS:**

HOME Program funding requests and recommended allocations were reviewed by the Citizens Housing and Community Development Committee on August 25th. Redevelopment funding requests and recommended allocations were reviewed by the Citizens Redevelopment Advisory Commission on September 6, and its Housing Committee on August 24, 1995.

The Redevelopment Housing Committee amended staff's recommendation for Stanislaus Apartments. The Housing Committee recommends that if a structured payment loan is made to Stanislaus Apartments, then the loan amount should be no greater than \$100,000. If a deferred-payment loan is made for the project, then the loan amount should be limited to \$80,000 with the \$20,000 unallocated balance reallocated to the 620 Paradise Road project proposed by the Housing Authority. The Committee endorsed the rest of staff's recommendations.

#### **A. SINGLE-FAMILY PROJECT RECOMMENDATIONS**

##### **1. Conant Meadows, The Villages, Parker Place and Yosemite Meadows**

It is recommended that the following subdivisions (Conant Meadows, The Villages, Parker Place and Yosemite Meadows) each be allocated \$20,000 in Redevelopment funds and \$15,000 in HOME funds. In addition, \$20,000 in Redevelopment funds and \$15,000 in HOME funds will be allocated to a shared pool for additional down payment assistance and will be made available to any one of the four single-family developers who uses up their specific allocation.

In addition, Algen Gardens at Algen Avenue and Crows Landing Road in South Modesto has a carry over of HOME funds from FY 1994, as does the Conant Meadows project and the Villages. Those funds will continue to be available for Down Payment assistance to them under the revised program rules until the end of Fiscal 95.

##### **2. Self-Help Enterprises Sweat Equity Program**

It is recommended that Self Help Enterprises receive an allocation of \$50,000 in Redevelopment Funds and \$25,000 in HOME funds, to provide down payment assistance to the participants in the non-profit agency's construction of ten single family homes behind the multi-family project

## **B. MULTI-FAMILY PROJECT RECOMMENDATIONS**

### **1. Self-Help Enterprises-Paradise Road Apartments**

This project has received commitments of HOME funds in the past, contingent upon receiving tax credit approval. That approval has now been made, which will allow the agency to proceed with securing permanent and construction financing. This project will produce 48 units of 3 and 4 bedroom apartments for low and very low income households. This is precisely the type of housing most needed, according to the City's Consolidated Plan.

To complete the necessary gap financing for this project, staff is recommending \$97,000 in HOME funds and \$70,000 in Redevelopment funds. The project development costs will total an estimated \$4.2 million, and the combined City financing, including HOME funds previously committed, will total \$820,000 in deferred loans.

### **2. Housing Authority of County of Stanislaus-620 Paradise Road**

The Housing Authority has applied for \$1,280,000 in combined HOME and Redevelopment funding to assist in the acquisition and renovation of this project. The property is considered the most deteriorated in the entire City, has a vacancy rate of over 50%, and many of the units are severely over-crowded. The repair of this property is considered a top priority of the City. Currently, the property is owned by an out-of-state corporation which has shown no inclination to rehabilitate the property.

The Housing Authority proposes to acquire the project, and without relocating the existing tenants, convert the 172 two-bedroom units to 110 units of larger size (3 and 4 bedroom) in order to accommodate the larger size families. The project is extremely expensive with a total estimated cost of \$7.6 million and a per unit cost of nearly \$70,000.

California State University, Stanislaus has applied for a HUD grant that, if approved, will provide up to \$1.8 million for the renovation of this complex. The pro-forma submitted by the Authority shows that the receipt of this grant is of fundamental importance to their ability to proceed with this project. If CSU does not receive the grant, it is unlikely that the Housing Authority will be able to proceed with the project. It is expected that we will receive word on the status of the application in September. If the grant is not received, and the owner does not make the required repairs, it is possible that the tenants will need to vacate the property and be relocated (The tenants are quite opposed to vacating the property and would prefer to remain, despite the poor conditions). Should relocation of the tenants be necessary, the City has allocated up to \$85,000 in HOME funds to be used for relocation expenses such as moving, lease-up, security deposits, etc. up to a maximum of \$1,000 per occupied household.

Given the high priority of this project, staff is recommending that \$353,000 in HOME funds and \$400,000 in Redevelopment funds, for a combined total of \$753,000, be reserved for this project

~~cannot be used for other ongoing projects. It is also possible that, if they acquire the property,~~  
the Authority may return to the City and request additional HOME funds from FY 96 funds to complete the necessary financing on this project.

### **3. Stanislaus Apartments**

Johnny and Tamara Matthews, local business owners, applied for \$100,000 in Redevelopment funds to rehabilitate a recently purchased 4-plex at 622 15th Street. The structure is located in the Redevelopment Project Area. Two units are currently being rented to AFDC homeless tenants and the remaining two units are vacant. After rehabilitation, two units would be restricted to very-low income tenants and two units would be restricted to low-income tenants, as defined by Redevelopment Law. Relocation would not be required since only two units would be rehabilitated at a time.

An on-site inspection by staff estimates rehabilitation costs between \$80,000 and \$100,000. Staff recommends that \$100,000 in Redevelopment funds be set aside for this project. However, the applicant will be required to obtain a contract's estimate of the total rehabilitation cost, and the bulk of the construction must be done by a licensed contractor. The applicant must also provide an appraisal and any additional financial or other information required for further evaluation and analysis.

## **C. PROJECTS NOT RECOMMENDED FOR FUNDING AT THIS TIME**

Applications not recommended for funding at this time will be reconsidered during the next open application round, which could be as early as late fall of 1995, depending on the disposition of the Housing Authority application for 620 Paradise Road, and the success of other applicants in meeting their funding conditions.

### **1. Habitat for Humanity**

Habitat's Stanislaus Chapter submitted three applications for HOME funds. HOME funds are being requested to acquire two properties in the southwest part of Modesto. The funds would also be used to pay for street improvements associated with the development of the housing projects. HOME funds are also being requested to pay for the relocation of existing sewer and water lines for a project proposed along Roseburg Avenue, immediately west of McHenry Avenue. The three projects are discussed in more detail below.

#### **a. Habitat for Humanity Land For New Houses - 506 California Avenue**

Habitat for Humanity requests \$235,000 of HOME funds to acquire and help develop a 2.74 acre parcel with up to ten single-family dwellings. The California Avenue property is located on the south side of California Avenue, West of Martin Luther King Drive. This property is located outside of the City limits. Consequently, if funding is allocated, it can only be provided once the property is annexed.

- i. The property must be annexed to the City of Modesto.
- ii. The developer of this property must obtain certain development entitlements (e.g. appropriate zoning, an approved tentative subdivision map, and an approved environmental assessment).
- iii. Sewer and water lines must be extended to serve the site.
- iv. An existing irrigation easement must be abandoned or reduced as approved by the Irrigation District.
- v. An appraisal of the property must be conducted.
- vi. A cost estimate of required street improvements is needed to justify funds requested.

**b. Habitat for Humanity Land for New Construction - 1427 Ritsch Lane**

Habitat for Humanity requests \$79,900 of HOME funds to acquire and help develop a 21,600 square foot parcel. This property along with an adjacent property to the west are planned to be developed with six dwellings for low-income households. The Ritsch Lane property is located on the north side of Beverly Drive, West of Paradise Road. This property is also located outside of the City limits. As a result, funding if allocated, can only be provided once the property is annexed.

There are several issues that must be addressed before funding can be allocated to this project.

- i. The property must be annexed to the City of Modesto.
- ii. The developer of this property must obtain certain development entitlements (e.g. appropriate zoning, an approved tentative subdivision map, and an approved environmental assessment).
- iii. The project may require the provision of joint access easements for vehicular access on to the developed parcels.
- iv. Sewer and water lines must be extended to serve the site.
- v. An appraisal of the property must be conducted.
- vi. A cost estimate of required street improvements is needed to justify funds requested.

**c. Habitat for Humanity Building Program - Alma Ave. between Roseburg and Audrey Ave.**

Habitat for Humanity is requesting \$7,500 for costs associated with the relocation of water and sewer lines. The lines are located along the center of the property that Habitat wants to develop. Habitat would like to build a single family dwelling on this site with an orientation to Audrey Avenue located to the north. The subject property is dedicated street right-of-way that was never developed. The right-of-way will have to be abandoned and easements maintained for sewer and water lines.

There are several issues that must be addressed before funding can be allocated to this project.

- i. Alma Avenue must be abandoned.

- iii. A cost estimate to relocate the water and sewer lines must be submitted.
- iv. New easements must be identified and recorded.

Staff does not recommend allocating funding to Habitat at this time. However, should the Housing Authority not exercise their allocation for 620 Paradise Road, the Committee would consider these applications on the condition that the applicant has made progress towards resolving the issues identified above.

## **2. Paradise Gardens Trust**

A trust represented by Rod Reed is requesting \$1,030,000 in combined HOME and Redevelopment funds to subsidize the acquisition and rehabilitation of the 173 unit multi-family apartment at 620 Paradise Road. The project is located in the Redevelopment Project Area. The trust proposes to purchase the property for \$2.8 million, which staff feels is too high. Rehabilitation and other costs could not be determined based on the information provided. In addition, no appraisal was provided. Staff does not recommend funding this project. The applicant has not provided the basic information necessary for staff to determine the feasibility of the project.

## **3. Ed Trapp-408 E. Coolidge Avenue**

Ed Trapp requested \$20,000 in HOME funds to acquire a structure to be rehabilitated into a duplex with two 1-bedroom units. The structure is currently elevated on jacks at the project site on Coolidge. The applicant is part-owner of the site, but the structure is owned by a house-moving company. The total project cost is estimated at \$120,000, which includes acquisition of the structure, rehabilitation costs, and refinancing the cost of the land. Housing would be provided for individuals with special needs, and rent levels would be restricted to 50% and 65% of median area income (The units would be rented to low-income relatives with disabilities).

Funding for this project is not recommended at this time. While staff realizes that Mr. Trapp is pursuing permanent financing, such financing has not been secured and the project has not been appraised. A contractor's proposal estimates construction costs at \$53,000 to \$68,000, but the proposal lacks the detailed work write-up required for adequate evaluation. Also, an operating proforma analysis reveals a negative cash flow, indicating that gross rents will not cover operating expenses and debt service.

Staff recommends that Mr. Trapp apply for a FHA 203(k) mortgage loan to accomplish the acquisition, rehabilitation, and refinancing project. He has already been referred to an approved lender to assist with the loan application process.

### **COUNCIL COMMITTEE ACTION:**

This item was reviewed by the Community Development & Housing Committee on its September 7, 1995, Meeting.

1. Housing & Neighborhoods staff will work with the borrower to clear up any contingencies required for loan approval.
2. Housing & Neighborhoods staff will work with the City Attorney's office to prepare agreements and loan documents. These documents will be returned to the Council for approval of City Manager execution.
3. Projects will be monitored for compliance with the loan agreement for the term of the City loan.

Prepared by: Miguel Lawry for Stew Young  
Stephen L. Young  
Housing & Neighborhoods Manager

Recommended by: Philip A. Testa  
Philip A. Testa  
Community Development Director

Submitted by: \_\_\_\_\_  
J. Edward Tewes  
City Manager

Exhibit A: Summary of Funding Requests  
Exhibit B: Summary of Staff Funding Recommendations

cc: Deputy City Manager  
City Attorney  
City Clerk  
Finance Director

Applicant And Proposed Project Information	IIMES Requested	RAIIF\$ Requested	HOME or RAIIF\$ Requested	Total Requested
<b>SINGLE-FAMILY PROJECTS</b>				
1. Conant Meadows-Housing Authority, 38 Units, Conant Ave, Down payment assistance for 10 units. Requesting \$10,000 per household. Will match City assistance. Sale price \$102,131 - \$105,655.	50,000	50,000		100
2. The Villages-Corn-Harris, 60 Units, Marlow & Ridgecrest. Down payment assistance for 15 three-bedroom homes. Requesting \$5,000 per household. Sale price \$77,900 - \$94,900.			75,000	75
3. Parker Place-Grant Homes, 54 Units, Claus & Parker. Down payment assistance for 3 and 4 bedroom homes. Requesting \$5,000 per household. Sales price \$107,500.			260,000	260
4. Yosemite Meadows-Rod Lowe, 76 Units, Yosemite & Claus. Down payment assistance for 15 3-bedroom homes. Requesting \$5,000 per household. Sale price \$89,900 - \$112,900.			75,000	75
5. Self-Help Enterprises Sweat Equity Program, 10 Units, Paradise Rd. Down payment assistance for 10 homes. Requesting \$10,000 per household in RAHF funds. The site is in the RDA Project Area.		100,000		100
6. Habitat for Humanity a. 10 Units, 506 California. Requesting funds to acquire and develop a 2.74 acre parcel with up to 10 single-family Habitat homes. The site is located outside the City limits. b. 6 Units, 1427 Ritsch Lane. Requesting funds to acquire and develop a 21,600 square foot parcel with up to 6 single-family homes. The site is located outside the City limits. c. 1 Unit, Alma Avenue & Roseburg. Requesting funds to relocate water and sewer lines in the development of a one single-family home. Parcel is a dedicated street right-of-way.	235,000 79,900 7,500			235 79 7
<b>MULTI-FAMILY PROJECTS</b>				
7. Paradise Apartments-Self-Help Enterprises, 48 Units, 3 and 4-bedroom units for low and very-low income households, Paradise Road. Requesting funds to complete financing gap. The project will cost \$4.2 million. Combined City financing, including HOME funds previously committed, will total \$802,000.	97,000	75,000		172
8. 620 Paradise, Housing Authority. Will acquire and renovate 172 2-bedroom units into 110 2, 3, and 4-bedroom units. Project is in the Redevelopment Area and contingent on \$1.8M HUD Grant applied for by CSU.	550,000	730,000		1,280
9. Stanislaus Apartments-Johnny & Tamara Matthews, 4 units, 622 15th Street. Will renovate house into two 1-bedrm and two 2-bedrm units for low and very-low income tenants, in the Redevelopment Project Area.		100,000		100
10. Paradise Gardens Trust-Rod Reed, 620 Paradise, 172 Units, Will acquire and renovate existing units. Eighty-six affordable units will be offered. The site is in the Redevelopment Project Area.	550,000	480,000		1,030
11. Ed Trapp, 408 E. Coolidge, 2 units. Will acquire and renovate a duplex into two 1-bedroom units. Will provide special needs housing to very-low income tenants. Total development cost is \$120,000.	20,000			20
<b>Total</b>	<b>1,589,400</b>	<b>1,535,000</b>	<b>410,000</b>	<b>3,534</b>

**Recommended Allocation Of HOME  
And Redevelopment Funding**

**Exhibit B**

head02b

	<b>HOME</b>	<b>REDEVELOP- MENT</b>	<b>TOTAL</b>
<b>Single Family Projects:</b>			
1. Conant Meadows-Housing Authority	\$15,000	\$20,000	\$35,000
2. The Villages-Corn-Harris	15,000	20,000	35,000
3. Parker Place-Grant Homes	15,000	20,000	35,000
4. Yosemite Meadows-Lowe	15,000	20,000	35,000
5. Down Payment Assistance Program Pool	15,000	20,000	35,000
6. Self-Help Enterprises Sweat Equity Program	25,000	50,000	75,000
<b>Subtotal-Single Family Projects</b>	<b>\$100,000</b>	<b>\$150,000</b>	<b>\$250,000</b>
<b>Multifamily Projects:</b>			
1. Paradise Rd. Apartments, Self-Help Enterprises	\$97,000	\$70,000	\$167,000
2. 620 Paradise Road-Housing Authority	353,000	400,000	753,000
3. Stanislaus Apartments, 622 15th St., Mathews	0	100,000	100,000
<b>Subtotal-Multifamily Projects</b>	<b>\$450,000</b>	<b>\$570,000</b>	<b>\$1,020,000</b>
<b>Total Available Funding</b>	<b>\$550,000</b>	<b>\$720,000</b>	<b>\$1,270,000</b>

**RESOLUTION OF  
THE REDEVELOPMENT AGENCY OF THE CITY OF MODESTO  
DETERMINING THAT THE PUBLIC INTEREST AND NECESSITY  
REQUIRE THE ACQUISITION OF CERTAIN LAND FROM  
DOHRMANN ENTERPRISES, A CALIFORNIA LIMITED  
PARTNERSHIP, AND DIRECTING THE FILING  
OF EMINENT DOMAIN PROCEEDINGS**

**Plaza Project**

IT IS RESOLVED by the Redevelopment Agency of the City of Modesto as follows:

WHEREAS, it is desirable and necessary for the Redevelopment Agency of the City of Modesto to acquire certain real property, particularly described in Exhibit "A", attached hereto and made a part hereof by reference, in order to implement the Plaza Project (the "Project"); and

WHEREAS, the Redevelopment Agency of the City of Modesto is vested with the power of eminent domain to acquire real property by virtue of Article I, Section 19, of the Constitution of the State of California, Section 33391 of the Health and Safety Code of the State of California, and Sections 1240.050, 1240.110, 1240.120, 1240.125, 1240.150, and 1240.410 of the Code of Civil Procedure of the State of California; and

WHEREAS, pursuant to the provisions of Section 1245.235 of the Code of Civil Procedure of the State of California, notice has been duly given to all persons whose property is to be acquired by eminent domain and whose names and addresses appear on the last Stanislaus County equalized assessment roll, all of whom have been given a reasonable opportunity to appear and be heard before the Redevelopment Agency of the City of Modesto on the following matters:

- (a) Whether the public interest and necessity require the Project;
- (b) Whether the Project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury;

- (c) Whether the property sought to be acquired is necessary for the Project; and
- (d) Whether the offer required by Government Code Section 7267.2 has been made to the owner(s) of record.

NOW, THEREFORE, IT IS FOUND, DETERMINED, AND ORDERED as

follows:

1. The public interest and necessity require the Project;
2. The Project is planned and located in the manner which will be most compatible with the greatest public good and the least private injury;
3. The taking of the fee simple title in and to the real property more particularly described in said Exhibit "A" is necessary for the Project;
4. The offer required by Section 7267.2 of the Government Code of the State of California has been made to the owner or owners of record of the real property;
5. The law firm of Meyers, Nave, Riback & Silver is hereby authorized and directed to institute and conduct to conclusion an action in eminent domain for the acquisition of the estates and interests aforesaid and to take such action as it may deem advisable or necessary in connection therewith;
6. An order for prejudgment possession may be obtained in said action and a warrant issued to the State Treasury Condemnation Fund, in the amount determined by the Court to be so deposited, as a condition to the right of immediate possession.

The foregoing resolution was introduced at a special meeting of the Redevelopment Agency of the City of Modesto held on the 26th day of September, 1995, by Agency Member Cogdill, who moved its adoption, which motion being duly seconded by Agency Member Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Agency Members: Cogdill, Dobbs, Friedman, Muratore,  
Chairperson Lang

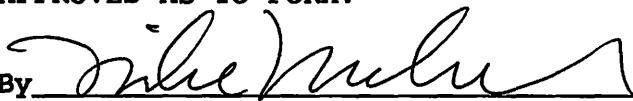
NOES: Agency Members: None

ABSENT: Agency Members: McClanahan

ATTEST:   
NORRINE COYLE, Secretary

(SEAL)

APPROVED AS TO FORM:

By   
MICHAEL D. MILICH, General Counsel

**EXHIBIT "A"**

**LEGAL DESCRIPTION**

**All that certain real property situate in the County of Stanislaus, State of California, described as follows:**

**LOTS 10, 11, 12, 13, 14, 15 AND 16 IN BLOCK 67 OF THE CITY OF MODESTO, ACCORDING TO THE OFFICIAL MAP THEREOF, FILED IN THE OFFICE OF THE RECORDER OF STANISLAUS COUNTY, CALIFORNIA, ON DECEMBER 21, 1942 IN VOLUME 15 OF MAPS**

**APN: 2-173/105-37-03-530**

**(Dohrmann Enterprises)**

**RESOLUTION OF  
THE REDEVELOPMENT AGENCY OF THE CITY OF MODESTO  
DETERMINING THAT THE PUBLIC INTEREST AND NECESSITY  
REQUIRE THE ACQUISITION OF CERTAIN LAND FROM  
CALIFORNIA HOUSING SECURITIES, INC., AND DIRECTING  
THE FILING OF EMINENT DOMAIN PROCEEDINGS**

**Plaza Project**

**IT IS RESOLVED** by the Redevelopment Agency of the City of Modesto as follows:

**WHEREAS**, it is desirable and necessary for the Redevelopment Agency of the City of Modesto to acquire certain real property, particularly described in Exhibit "A", attached hereto and made a part hereof by reference, in order to implement the Plaza Project (the "Project"); and

**WHEREAS**, the Redevelopment Agency of the City of Modesto is vested with the power of eminent domain to acquire real property by virtue of Article I, Section 19, of the Constitution of the State of California, Section 33391 of the Health and Safety Code of the State of California, and Sections 1240.050, 1240.110, 1240.120, 1240.125, 1240.150, and 1240.410 of the Code of Civil Procedure of the State of California; and

**WHEREAS**, pursuant to the provisions of Section 1245.235 of the Code of Civil Procedure of the State of California, notice has been duly given to all persons whose property is to be acquired by eminent domain and whose names and addresses appear on the last Stanislaus County equalized assessment roll, all of whom have been given a reasonable opportunity to appear and be heard before the Redevelopment Agency of the City of Modesto on the following matters:

- (a) Whether the public interest and necessity require the Project;
- (b) Whether the Project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury;

(c) Whether the property sought to be acquired is necessary for the Project; and

(d) Whether the offer required by Government Code Section 7267.2 has been made to the owner(s) of record.

**NOW, THEREFORE, IT IS FOUND, DETERMINED, AND ORDERED as**

**follows:**

1. The public interest and necessity require the Project;
2. The Project is planned and located in the manner which will be most compatible with the greatest public good and the least private injury;
3. The taking of the fee simple title in and to the real property more particularly described in said Exhibit "A" is necessary for the Project;
4. The offer required by Section 7267.2 of the Government Code of the State of California has been made to the owner or owners of record of the real property;
5. The law firm of Meyers, Nave, Riback & Silver is hereby authorized and directed to institute and conduct to conclusion an action in eminent domain for the acquisition of the estates and interests aforesaid and to take such action as it may deem advisable or necessary in connection therewith;
6. An order for prejudgment possession may be obtained in said action and a warrant issued to the State Treasury Condemnation Fund, in the amount determined by the Court to be so deposited, as a condition to the right of immediate possession.

The foregoing resolution was introduced at a special meeting of the Redevelopment Agency of the City of Modesto held on the 26th day of September, 1995, by Agency Member Cogdill, who moved its adoption, which motion being duly seconded by Agency Member Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Agency Members: Cogdill, Dobbs, Friedman, Muratore, Chairperson Lang

NOES: Agency Members: None

ABSENT: Agency Members: McClanahan

ATTEST: *Norrine Coyle*  
NORRINE COYLE, Secretary

(SEAL)

APPROVED AS TO FORM:

By *Michael D. Milich*  
MICHAEL D. MILICH, General Counsel

**LEGAL DESCRIPTION**

**All that certain real property situate in the County of Stanislaus, State of California, described as follows:**

**LOTS 17 AND 18 IN BLOCK 67 OF THE CITY OF MODESTO, ACCORDING TO THE OFFICIAL MAP THEREOF, FILED IN THE OFFICE OF THE RECORDER OF STANISLAUS COUNTY, CALIFORNIA, ON DECEMBER 21, 1942 IN VOLUME 15 OF MAPS**

**APN: 2-173/105-37-04-530**

**(California Housing Securities, Inc.)**

MODESTO REDEVELOPMENT AGENCY  
RESOLUTION NO. 20-95

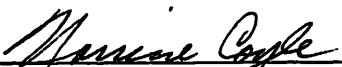
A RESOLUTION APPROVING AGREEMENT WITH COUNTY OF STANISLAUS FOR LEGAL SERVICES REGARDING DOHRMANN ENTERPRISES BANKRUPTCY AND THE PROPERTY LOCATED AT THE WEST CORNER OF 11TH AND J STREETS

BE IT HEREBY RESOLVED by the Redevelopment Agency of the City of Modesto that the agreement between the Redevelopment Agency and the County of Stanislaus for the retention by the County of bankruptcy attorney Ralph P. Guenther, Duffy & Guenther, to represent County regarding the Dohrmann Enterprises bankruptcy and the property located at the west corner of 11th and J Streets be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated Redevelopment Agency officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Redevelopment Agency of the City of Modesto held on the 26th day of September, 1995, by Agency Member Cogdill, who moved its adoption, which motion being duly seconded by Agency Member Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Agency Members: Cogdill, Dobbs, Friedman, Muratore, Chairperson  
Lang  
NOES: Agency Members: None  
ABSENT: Agency Members: McClanahan

ATTEST:   
NORRINE COYLE, Secretary

MODESTO REDEVELOPMENT AGENCY  
RESOLUTION NO. 21-95

A RESOLUTION APPROVING AN AGREEMENT WITH MCHENRY MANSION FOUNDATION, SORENSEN CONSTRUCTION COMPANY AND "I" STREET RENAISSANCE COMMITTEE FOR THE BUILDING, CONSTRUCTION AND COMPLETION OF MCCLATCHY SQUARE AT 1421 I STREET

BE IT HEREBY RESOLVED by the Redevelopment Agency of the City of Modesto that the agreement between the Redevelopment Agency and McHenry Mansion Foundation, Sorensen Construction Company and "I" Street Renaissance Committee for the building, construction and completion of McClatchy Square at 1421 I Street be, and it is hereby approved.

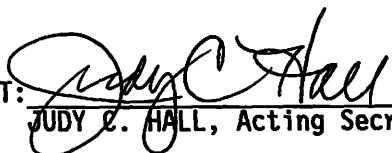
BE IT FURTHER RESOLVED that the execution of said agreement by the designated agency officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Redevelopment Agency of the City of Modesto held on the 9th day of September, 1995, by Agency Member McClanahan, who moved its adoption, which motion being duly seconded by Agency Member Friedman, was upon roll call carried and the resolution adopted by the following vote:

AYES: Agency Members: Cogdill, Dobbs, Friedman, McClanahan, Muratore,  
Chairperson Lang

NOES: Agency Members: None

ABSENT: Agency Members: None

ATTEST:   
JUDY C. HALL, Acting Secretary

MODESTO REDEVELOPMENT AGENCY  
RESOLUTION NO. 22-95


A RESOLUTION APPROVING AGREEMENT WITH KEYSER MARSTON ASSOCIATES TO PREPARE  
FISCAL CONSULTANT REPORT FOR THE PLAZA PROJECT

BE IT HEREBY RESOLVED by the Redevelopment Agency of the City of Modesto that the agreement between the Redevelopment Agency and the Keyser Marston Associates to prepare fiscal consultant report for the Plaza Project be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated Redevelopment Agency officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Redevelopment Agency of the City of Modesto held on the 10th day of October, 1995, by Agency Member Friedman, who moved its adoption, which motion being duly seconded by Agency Member Dobbs, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Agency Members:	Cogdill, Dobbs, Friedman Muratore, Chairperson Lang
NOES:	Agency Members:	None
ABSENT:	Agency Members:	McClanahan

ATTEST:   
NORRINE COYLE, Secretary

MODESTO REDEVELOPMENT AGENCY  
RESOLUTION NO. 23-95

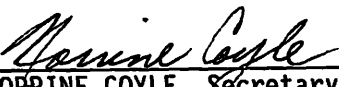
A RESOLUTION APPROVING AN AMENDMENT TO THE RIGHT OF ENTRY AND INDEMNIFICATION AGREEMENT WITH MATTHEW WARD AND JOHN L. WARD FOR A PHASE II ENVIRONMENTAL SITE ASSESSMENT

BE IT HEREBY RESOLVED by the Redevelopment Agency of the City of Modesto that the amendment to the Right of Entry and Indemnification agreement between the Redevelopment Agency and Matthew Ward and John L. Ward for a Phase II Environmental Assessment for the Plaza Project to extend the termination date to December 31, 1995, be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated Redevelopment Agency officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Redevelopment Agency of the City of Modesto held on the 10th day of October, 1995, by Agency Member Friedman, who moved its adoption, which motion being duly seconded by Agency Member Dobbs, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Agency Members:	Cogdill, Dobbs, Friedman Muratore, Chairperson Lang
NOES:	Agency Members:	None
ABSENT:	Agency Members:	McClanahan

ATTEST:   
NORRINE COYLE, Secretary

MODESTO REDEVELOPMENT AGENCY  
RESOLUTION NO. 24-95

A RESOLUTION APPROVING AN AGREEMENT WITH SURGIT SINGH FOR THE ACQUISITION OF  
PROPERTY NEEDED FOR THE PLAZA PROJECT

BE IT HEREBY RESOLVED by the Redevelopment Agency of the City of Modesto that the agreement between the Redevelopment Agency and Surgit Singh for the acquisition of property needed for the Plaza Project be, and it is hereby approved.

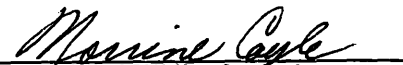
BE IT FURTHER RESOLVED that the execution of said agreement by the designated agency officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Redevelopment Agency of the City of Modesto held on the 17th day of October, 1995, by Agency Member Muratore, who moved its adoption, which motion being duly seconded by Agency Member Cogdill, was upon roll call carried and the resolution adopted by the following vote:

AYES: Agency members: Cogdill, Dobbs, Friedman, Muratore, Mayor Lang

NOES: Agency members: None

ABSENT: Agency members: McClanahan

ATTEST:   
NORRINE COYLE, Secretary

MODESTO REDEVELOPMENT AGENCY  
RESOLUTION NO. 25-95

A RESOLUTION APPROVING AN AGREEMENT WITH ELIZABETH GRACE KOKKO TRUST FOR THE ACQUISITION OF PROPERTY NEEDED FOR THE PLAZA PROJECT

BE IT HEREBY RESOLVED by the Redevelopment Agency of the City of Modesto that the agreement between the Redevelopment Agency and Elizabeth Grace Kokko Trust for the acquisition of property needed for the Plaza Project be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated agency officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Redevelopment Agency of the City of Modesto held on the 17th day of October, 1995, by Agency Member Muratore, who moved its adoption, which motion being duly seconded by Agency Member Cogdill, was upon roll call carried and the resolution adopted by the following vote:

AYES: Agency members: Cogdill, Dobbs, Friedman, Muratore, Mayor Lang

NOES: Agency members: None

ABSENT: Agency members: McClanahan

ATTEST:

  
NORRINE COYLE, Secretary

MODESTO REDEVELOPMENT AGENCY  
RESOLUTION NO. 26-95

A RESOLUTION APPROVING AN AGREEMENT WITH RIBEIRO FAMILY TRUST FOR THE  
ACQUISITION OF PROPERTY NEEDED FOR THE PLAZA PROJECT

BE IT HEREBY RESOLVED by the Redevelopment Agency of the City of Modesto that the agreement between the Redevelopment Agency and Ribeiro Family Trust for the acquisition of property needed for the Plaza Project be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated agency officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Redevelopment Agency of the City of Modesto held on the 17th day of October, 1995, by Agency Member Muratore, who moved its adoption, which motion being duly seconded by Agency Member Cogdill, was upon roll call carried and the resolution adopted by the following vote:

AYES: Agency members: Cogdill, Dobbs, Friedman, Muratore, Mayor Lang

NOES: Agency members: None

ABSENT: Agency members: McClanahan

ATTEST:

  
NORRINE COYLE, Secretary

MODESTO REDEVELOPMENT AGENCY  
RESOLUTION NO. 27-95

A RESOLUTION APPROVING AN AGREEMENT WITH ZODIAC REAL ESTATE INVESTORS I FOR THE ACQUISITION OF PROPERTY NEEDED FOR THE PLAZA PROJECT

BE IT HEREBY RESOLVED by the Redevelopment Agency of the City of Modesto that the agreement between the Redevelopment Agency and Zodiac Real Estate Investors I for the acquisition of property needed for the Plaza Project be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated agency officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Redevelopment Agency of the City of Modesto held on the 17th day of October, 1995, by Agency Member Muratore, who moved its adoption, which motion being duly seconded by Agency Member Cogdill, was upon roll call carried and the resolution adopted by the following vote:

AYES: Agency members: Cogdill, Dobbs, Friedman, Muratore, Mayor Lang

NOES: Agency members: None

ABSENT: Agency members: McClanahan

ATTEST:

  
NORRINE COYLE, Secretary

MODESTO REDEVELOPMENT AGENCY  
RESOLUTION NO. 28-95

A RESOLUTION AMENDING THE ANNUAL BUDGET OF  
THE REDEVELOPMENT AGENCY FOR THE FIRST  
QUARTER OF FISCAL YEAR 1995-96.

WHEREAS, it has been determined that certain  
adjustments are required to the Annual Budget of the  
Redevelopment Agency for the first quarter of Fiscal Year  
1995-96,

NOW, THEREFORE, BE IT RESOLVED by the Agency Members of  
the Redevelopment Agency of the City of Modesto that the 1995-96  
Annual Budget be amended as listed on "Attachment A" attached.

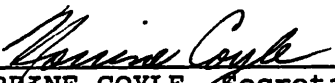
BE IT FURTHER RESOLVED that the Finance Director is  
hereby authorized to take the necessary steps to implement the  
provisions of this resolution.

The foregoing resolution was introduced at a special meeting of the Redevelopment Agency of the City of Modesto held on the 7th day of November, 1995, by Agency Member Dobbs, who moved its adoption, which motion being duly seconded by Agency Member McClanahan, was upon roll call carried and the resolution adopted by the following vote:

AYES: Agency Members: Cogdill, Dobbs, McClanahan, Muratore, Mayor Lang


NOES: Agency Members: None

ABSENT: Agency Members: Friedman

ATTEST:   
NORRINE COYLE, Secretary

(SEAL)

APPROVED AS TO FORM:

By   
MICHAEL D. MILICH, General Counsel

Attachment A

Budget Adjustment Detail

				Current	Revised			
				Budget	Budget	Adjustment	Description	
<b>RDA Rental/Interest Payments to Owners for Purchase of Property for Plaza Project</b>								
Rev	907	140	1492	4058	0	14,300	14,300	Developers' Share of Project
Exp	907	140	1492	0467	0	14,300	14,300	Land Acquisition Expenses
Total							0	

MODESTO REDEVELOPMENT AGENCY  
RESOLUTION NO. 29-95

A RESOLUTION APPROVING AGREEMENTS BETWEEN THE REDEVELOPMENT AGENCY AND EIGHTEEN INDIVIDUAL OWNER/TENANTS FOR PARTICIPATION IN THE FACADE IMPROVEMENT REBATE PROGRAM

BE IT HEREBY RESOLVED by the Redevelopment Agency of the City of Modesto that the agreements between the Redevelopment Agency and eighteen individual owner/tenants, as shown on the attached Exhibit A, for participation in the facade improvement rebate program be, and they are hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreements by the designated Agency officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Redevelopment Agency of the City of Modesto held on the 5th day of December, 1995, by Agency member Friedman, who moved its adoption, which motion being duly seconded by Agency member McClanahan, was upon roll call carried and the resolution adopted by the following vote:

AYES: Agency members: Cogdill, Dobbs, Friedman, McClanahan, McKinsey, Chairperson Lang

NOES: Agency members: None

ABSENT: Agency members: None

ATTEST: Norrine Coyle  
NORRINE COYLE, Secretary

# Facade Grant Applications

November 1995

Recommended for Rebates

				Total Cost	Recommend	
1.	1302 9th St	paint, awning, sidewalk (Mod Yamaha)		\$ 25,500.00	\$ 8,000.00	Vinson Chase
2.	1310 9th St	stucco, paint, awning (Cooper Tire)		\$ 17,026.00	\$ 7,000.00	Gregory Van Sandt
3.	1326 9th St	paint (Salty's)		\$ 1,800.00	\$ 900.00	Ramona Saben
4.	1403-25 9th St	paint (Modesto Junk)		\$ 2,142.00	\$ 1,071.00	Jeff Highlet
5.	1300 10th St	office bldg painting, landscaping		\$ 16,850.00	\$ 5,000.00	Gerald Clendenin, Connie Bird
6.	1034 12th St	replace exterior of office bldg		\$ 12,287.00	\$ 5,000.00	Cleve Stockton, Jim Sadler
7.	928 15th St	office bldg exterior renovation		\$ 19,007.00	\$ 7,000.00	Richard Phillips
8.	930 15th St	office bldg exterior renovation		\$ 58,025.00	\$ 10,000.00	Richard Bosio
9.	1015 16th St	renovation of office bldg		\$ 42,860.00	\$ 5,000.00	John/Louise Williams
10.	1301 G St	paint office bldg		\$ 4,750.00	\$ 1,500.00	John Lust, Robert Hagopian
11.	402 H St	restucco, paint, awning, signage		\$ 24,662.90	\$ 10,000.00	Ben Prasad
12.	701 H St	modify overhang, new steel paneling, paint		\$ 22,000.00	\$ 5,000.00	Bertha Wilson, Vernon Hellwig, Connie Bird
13.	1901 H St	landscaping, paint, awning (Watson Bros.)		\$ 34,845.00	\$ 10,000.00	Dennis Spears
14.	1624 I St	clean, paint office bldg		\$ 1,580.00	\$ 790.00	John Lust, Robert Hagopian
15.	1307 J St	marquee, sign (State Theatre)		\$ 61,998.00	\$ 10,000.00	State Theatre
16.	1501-05 J St	replace brick facade, paint, awning		\$ 14,725.00	\$ 5,000.00	Pat and Tom Conway
17.	1524 J St	paint, awning (Hamaway's)		\$ 14,677.00	\$ 7,338.50	Paulette Attoun
18.	1201 L St	paint office bldg		\$ 2,450.00	\$ 1,225.00	Farm Bureau
				\$ 377,184.90	\$ 99,824.50	