

RESOLUTION NO. 2014-01

RESOLUTION OF THE LEMOORE OVERSIGHT BOARD FOR THE LEMOORE SUCCESSOR AGENCY TO THE LEMOORE REDEVELOPMENT AGENCY APPROVING AMENDMENT NO. 2 TO THE LOAN AGREEMENT FOR PROPERTY ACQUISITION (1600 ENTERPRISE DRIVE, CITY OF LEMOORE) FOR AN EXTENSION OF TIME TO VACATE 416 N. LEMOORE AVENUE

WHEREAS, On May 3, 2011, the City of Lemoore (“City”), the Successor Agency to the Redevelopment Agency of the City of Lemoore (“Agency”) and Gary V. Burrows, Inc., (“Burrows”) entered into a Loan Agreement for Property Acquisition (1600 Enterprise Drive, City of Lemoore) (“Agreement”) for the purchase of property vacated by Western RV; and

WHEREAS, within the terms of the Agreement, Burrows agreed that by December 31, 2013, all of the Burrows Corporations’ business operations would be completely relocated and operational at their relocated and expanded sites and the following relocation activities would be completed regarding the Burrows site located at 416 N. Lemoore Avenue: (1) removal of all tanks, plumbing and related fueling equipment from the site; (2) removal of all structures except for the warehouse and fencing at the site; (3) storage only of nonhazardous materials in the warehouse at the site; (4) removal of any vehicles and/or equipment from the site; (5) the cessation of any storage and transportation of oil, grease and other petroleum products and any other hazardous materials at the site; and (6) maintaining the site free of weeds, debris or litter, until developed pursuant to covenants running with the land agreed upon by the Parties in a separate agreement recorded on the 416 N. Lemoore Avenue site; and

WHEREAS, Burrows has indicated that it is awaiting approvals from the state “CARB” division; and

WHEREAS, Burrows has requested that the City and the Agency grant a six to twelve-month extension pertaining to items 1 through 5 listed above; and

WHEREAS, on January 7, 2014, the Lemoore City Council, acting as the Successor Agency, unanimously approved a six-month extension of time to vacate the property located at 416 N. Lemoore Avenue, City of Lemoore, to June 30, 2014.

NOW, THEREFORE, THE LEMOORE OVERSIGHT BOARD FOR THE LEMOORE SUCCESSOR AGENCY TO THE LEMOORE REDEVELOPMENT AGENCY DOES HEREBY FIND, DETERMINE AND RESOLVE AS FOLLOWS:

SECTION 1. The Recitals set forth above are true and correct and incorporated herein by reference; and

SECTION 2. Hereby approves Amendment No. 2 granting the Extension of Time to Vacate 416 N. Lemoore Avenue attached as Exhibit “A”; and

SECTION 3. The Successor Agency and Oversight Board are hereby authorized and directed to transmit a copy of the approved Amendment No. 2 to the State of California Department of Finance and to take all other actions that are necessary to carry out the intent of this resolution.

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PASSED, APPROVED, AND ADOPTED by the Lemoore Oversight Board for the Lemoore Successor Agency to the Lemoore Redevelopment Agency at a regular meeting this 23rd day of January 2014, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

John F. Murray, Chairperson

ATTEST:

Mary J. Venegas, Board Clerk

CERTIFICATE

STATE OF CALIFORNIA)
COUNTY OF KINGS) ss.
CITY OF LEMOORE)

I, MARY J. VENEGAS, Board Clerk of the Lemoore Oversight Board for the Lemoore Successor Agency to the Lemoore Redevelopment Agency, do hereby certify the forgoing Resolution of the Lemoore Oversight Board for the Lemoore Successor Agency to the Lemoore Redevelopment Agency was duly passed and adopted at a regular meeting of the Lemoore Oversight Board held on January 23, 2014.

DATED: January 23, 2014

Mary J. Venegas, Board Clerk