

**RESOLUTION NO. 2014-02**

**RESOLUTION OF THE LEMOORE OVERSIGHT BOARD FOR THE LEMOORE SUCCESSOR AGENCY TO THE LEMOORE REDEVELOPMENT AGENCY APPROVING AMENDMENT NO. 1 TO THE AGREEMENT OF COVENANTS RUNNING WITH THE LAND (416 N. LEMOORE AVENUE) 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 an Agreement of Covenants Running with the Land (416 N. Lemoore Avenue) (“Agreement”); and

**WHEREAS**, Burrows agreed that no later than December 31, 2013, it would perform the following, except as to section h:

- a. Cease its business operations at the Property.
- b. Remove all tanks, plumbing and related fueling equipment from the Property.
- c. Remove all structures except for the warehouse and fencing at the Property.
- d. Store only nonhazardous materials in the warehouse at the Property.
- e. Remove any vehicles and/or equipment from the Property.
- f. Cease any storage and transportation of oil, grease and other petroleum products and any other hazardous materials at the Property.
- g. Maintain the Property free of weeds, debris or litter, until developed as described in subsection h.
- h. Develop the Property to a different and higher use, in compliance with the City’s general plan and all other applicable local, state and federal laws at the time of development. (Planning documents to be submitted to City by May 3, 2021.); 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 a through f 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. 1 for 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. 1 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 23<sup>rd</sup> 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

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Mary J. Venegas, Board Clerk