

Resolution 09-03

Resolution Authorizing the Executive Officer)
To Execute Sales Contract with Marina Coast)
Water District and Association of Monterey)
Bay Area Governments)

THIS RESOLUTION is adopted with reference to the following facts and circumstances:

- A. Since 2003, the Fort Ord Reuse Authority ("FORA") has engaged in joint planning with Association of Monterey Bay Area Governments ("AMBAG"), Builders Exchange of the Central Coast ("Builders Exchange"), and Carpenters Union Local 605 ("Carpenters") (collectively, "Partners") with the intention of developing a joint-use office park on the former Fort Ord.
- B. In 2004, the City of Marina identified the Imjin Office Park site, a 4.75-acre parcel at the corner of Imjin Parkway and 2nd Avenue in the City of Marina, as an appropriate site for FORA and the Partners to develop their joint-use office park.
- C. On December 12, 2008, the FORA Board authorized the Executive Officer to execute an agreement with Marina Coast Water District ("MCWD") regarding the sale of FORA property and joint building consistent with the term sheet.
- D. The FORA Board's approval of resolution 09-03 is consistent with previous Board action and will facilitate Imjin Office Park property sale to MCWD.

NOW THEREFORE, BE IT RESOLVED:


- 1. Michael A. Houlemard, Jr., the FORA Executive Officer, shall be FORA's signatory for the execution of the FORA-MCWD-AMBAG sales agreement and other documents necessary for the sale and transfer of the Imjin Office Park Assessor's Parcel Numbers ("APN") 031-251-038-000 (FORA's parcel) and 031-251-040-000 (AMBAG's Parcel) to MCWD.
- 2. FORA's sale price to MCWD for APN 031-251-038-000 is \$988,000.00.
- 3. AMBAG's sale price to MCWD for APN 031-251-038-000 is \$588,000.00.
- 4. In addition to the sale price, FORA shall collect \$135,082.20 at close of escrow from MCWD for building permit fees previously paid and between \$220,855.92 and \$189,774.28 at close of escrow from MCWD for AMBAG payments previously due to FORA. The FORA Executive Officer shall direct

the Title Company as to the exact amount of the AMBAG payment previously due FORA.

Upon motion by Councilmember Mancini, seconded by Councilmember Kampe, the foregoing resolution was passed on the 3rd day of April, 2009, by the following vote:

AYES: 13 Directors Rubio, McCloud, Gray, Kampe, Potter, Parker, Selfridge, Russell, Mancini, Pendergrass, McCall, Cook (alternate), and Barnes
NOES: -0-
ABSTENTIONS: -0-
ABSENT: -0-

I, Mayor Rubio, Chair of the Board of Directors of the Fort Ord Reuse Authority of the County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original order of the said Board of Directors duly made and entered under Item 6cii on Page 3 of the board meeting minutes of April 3, 2009 thereof, which are kept in the Minute Book resident in the offices of the Fort Ord Reuse Authority.

Dated 4/29/09 By 
Ralph Rubio
Chair, Board of Directors
Fort Ord Reuse Authority