

RESOLUTION NO. OBSARDA 2012-018

**A RESOLUTION OF THE OVERSIGHT BOARD OF THE SUCCESSOR
AGENCY TO THE HIGHLAND REDEVELOPMENT AGENCY
DIRECTING THE TRANSFER OF CERTAIN LAND BY THE
“SUCCESSOR AGENCY TO THE HIGHLAND REDEVELOPMENT
AGENCY” TO THE CITY OF HIGHLAND FOR USE AS A FIRE
STATION**

RECITALS:

A. Pursuant to Health and Safety Code Section 34175(b) and the California Supreme Court's decision in *California Redevelopment Association, et al. v. Ana Matosantos, et al.* (53 Cal.4th 231(2011)), on February 1, 2012, all assets, properties, contracts, leases, books and records, buildings, and equipment of the Highland Redevelopment Agency (the “Agency”) transferred to the Successor Agency to the Highland Redevelopment Agency (the “Successor Agency”) by operation of law.

B. Health and Safety Code Section 34181(a) provides that the oversight board of the Successor Agency (the “Oversight Board”) shall direct the Successor Agency to dispose of all assets and properties of the former redevelopment agency, but may instead direct the Successor Agency to transfer ownership of assets constructed and used for a governmental purpose, such as a fire station, to the appropriate public jurisdiction pursuant to any existing agreements relating to the construction as use of such an asset.

C. The Agency acquired land in the City of Highland (“City”) commonly known as Assessor's Parcel Numbers 1192-421-02 and 1192-421-39 (collectively, the “Property”) for the purpose of providing the Property to the City for construction and use of a new fire station commonly referred to as “Fire Station No. 1”.

D. The Property is part of the Civic Center Zoning District by virtue of Ordinance No. 369 amending the City's Official Zoning Map of the City, and the City is under no obligation to rezone the Property and does not intend to rezone the Property; consequently, the value of the Property, were it to be disposed of by sale to one or more third parties, is believed to be limited.

E. The Planning Commission, in their capacity as the Design Review Board, approved the City's Design Review Application for Fire Station No. 1 Facility (DRA-011-008) by Planning Commission Resolution No. 12-009 dated June 5, 2012.

F. Pursuant to Health and Safety Code Sections 34179(f) and 34181(f), notice of this action was posted on the Successor Agency's website on November 9, 2012.

NOW, THEREFORE, THE OVERSIGHT BOARD OF THE SUCCESSOR AGENCY TO THE HIGHLAND REDEVELOPMENT AGENCY HEREBY FINDS, DETERMINES, RESOLVES, AND ORDERS AS FOLLOWS:

Section 1. The above recitals are true and correct and are a substantive part of this Resolution.

Section 2. This Resolution is adopted pursuant to Health and Safety Code Section 34181(a).

Section 3. The Successor Agency is hereby authorized and directed to transfer the Property to the City for construction and use of a fire station as previously contemplated by the City and the Agency. The Successor Agency is hereby further authorized and directed to assign to the City all rights related to any plans and drawings prepared by the Agency with respect to the property including design and construction plans for a new fire station.

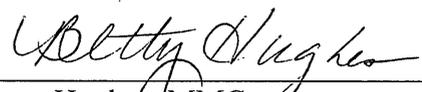
Section 4. The staff of the Successor Agency is hereby directed to provide DOF written notice and information regarding the action taken by the Oversight Board in Section 3 of this Resolution. Such notice and information shall be provided by electronic means and in a manner of DOF's choosing.

Section 5. The staff and the Board of the Successor Agency are hereby authorized and directed, jointly and severally, to execute and record such documents and instruments and to do any and all other things which they may deem necessary or advisable to effectuate this Resolution.

PASSED, APPROVED AND ADOPTED this 27th day of November, 2012.


Larry McCallon
Chair

ATTEST:


Betty Hughes, MMC
Secretary

STATE OF CALIFORNIA)
COUNTY OF SAN BERNARDINO)
CITY OF HIGHLAND)

I, BETTY HUGHES, Secretary of the Oversight Board of the Successor Agency to the Highland Redevelopment Agency of the City of Highland, California, do hereby certify Oversight Board of the Successor Agency to the Redevelopment Agency Resolution No. OBSARDA2012-018 was duly and regularly adopted by the Oversight Board of the Successor Agency to the Highland Redevelopment Agency, Highland, California, at a special meeting thereof held on the 27th day of November, 2012, by the following vote:

AYES: Haller, Huff, Jaquess, McCallon, Saks, Sutorus

NOES: None

ABSTAIN: None

ABSENT: Peukert



BETTY HUGHES, MMC
SECRETARY