



**LARRY WALKER**  
Auditor/Controller – Recorder

P Counter

Recording Requested by  
and When Recorded Return to:

City Clerk  
City of Redlands  
35 Cajon Street  
P.O. Box 3005  
Redlands, CA 92630

Doc#: 2007-0680912



Titles: 1 Pages: 7

|       |        |
|-------|--------|
| Fees  | 0.00   |
| Taxes | 0.00   |
| Other | 0.00   |
| PAID  | \$0.00 |

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Exempt from recording fees pursuant to Government Code Section 27383

### **REVISED STATEMENT OF PROCEEDINGS**

This following Revised Statement of Proceedings is provided pursuant to Section 33373 of the California Health and Safety Code with respect to the Redevelopment Plan ("Redevelopment Plan") for Redlands Redevelopment Project Area, as amended:

**THE PROPERTY THAT IS THE SUBJECT OF THIS STATEMENT IS LOCATED WITHIN A REDEVELOPMENT PROJECT AREA, MORE SPECIFICALLY CALLED THE REDLANDS REDEVELOPMENT PROJECT AREA. A DESCRIPTION OF THE LAND WITHIN THE PROJECT AREA IS PROVIDED AS EXHIBIT "A" AND A MAP OF THE PROJECT AREA IS PROVIDED AS EXHIBIT "B".**

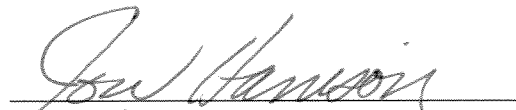
1. Pursuant to the Redevelopment Plan, proceedings have been instituted with respect to implementing the Redevelopment Plan for Redlands Redevelopment Project Area, as amended. In furtherance thereof, all of the property located within the Redlands Redevelopment Project Area, as amended, is subject to the Agency's power of eminent domain in accordance with the provisions therefor described within the Redevelopment Plan.
2. The Eminent Domain Program for the Redevelopment Agency of the City of Redlands is as follows:

"It is in the public interest and is necessary in order to execute this Plan for the power of eminent domain to be employed by the Agency to acquire real property in all portions of the Original Project Area and Added Area No. 1. The Agency shall strictly adhere to the following in assessing just compensation and damages to affected owners: The Fifth Amendment to the United States Constitution, Article I, Section 19 of the California Constitution, the Eminent Domain Law (California Code of Civil Procedure Section 1230.010, et seq.), the California Relocation Assistance Act (California Government Code Section 7260, et seq.), implementing rules and regulations (Title 25, California Code of Regulations) and such other applicable local, state or federal ordinances, statutes,

rules, regulations and decisional laws. The Agency shall assess the payment of fair market value for interests in real property, payment for the taking and damaging of improvements, fixtures and equipment, any diminution in value caused to a remainder of property acquired pursuant to a resolution of necessity, relocation benefits and assistance, loss of business goodwill in appropriate cases and the necessary costs of mitigating a loss of business goodwill.”

3. The Redevelopment Plan authorizes the Agency’s use of the power of eminent domain with respect to the Redlands Redevelopment Project Area, as amended.
4. The Agency’s power of eminent domain with respect to the Redlands Redevelopment Project Area expires on December 19, 2012, unless extended pursuant to further amendment of the Redevelopment Plan.

Date: September 18, 2007

  
Jon Harrison, Mayor

Attest:

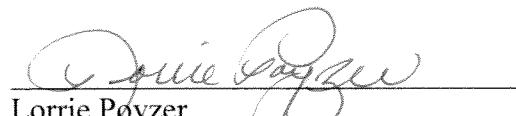
  
Lorrie Poyzer  
City Clerk of the City of Redlands, California

Exhibit A: Legal Description of the Redlands Redevelopment Project Area and Added Area No. 1

Exhibit B: Map of the Redlands Redevelopment Project Area and Added Area No. 1

## ALL-PURPOSE ACKNOWLEDGMENT

STATE OF CALIFORNIA                     )  
COUNTY OF SAN BERNARDINO        ) SS  
CITY OF REDLANDS                    )

By the authority granted under Chapter 4, Article 3, Section 1181, of the California Civil Code, and Chapter 2, Division 3, Section 40814, of the California Government Code, on September 18, 2007, before me, Teresa Ballinger, Assistant City Clerk, on behalf of Lorrie Poyzer, City Clerk of the City of Redlands, California, personally appeared Jon Harrison, Mayor and Lorrie Poyzer, City Clerk { X } personally known to me - or - { } proved to me on the basis of satisfactory evidence to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same in their authorized capacities and that by their signatures on the instrument the persons, or the entity upon behalf of which the persons acted, executed the instrument.

WITNESS my hand and official seal.

LORRIE POYZER, CITY CLERK



By: Teresa Ballinger  
Teresa Ballinger, Assistant City Clerk  
(909)798-7531

### CAPACITY CLAIMED BY SIGNER(S)

{ } Individual(s) signing for oneself/themselves

{ } Corporate Officer(s)

Title(s) \_\_\_\_\_

Company \_\_\_\_\_

{ } Partner(s)

Partnership \_\_\_\_\_

{ } Attorney-In-Fact

Principal(s) \_\_\_\_\_

{ } Trustee(s)

Trust \_\_\_\_\_

{ x } Other

Title(s): Mayor and City Clerk

Entity Represented: City of Redlands, a municipal corporation

THIS CERTIFICATE MUST BE ATTACHED TO THE DOCUMENT DESCRIBED BELOW:

Title or Type of Document: Revised Statement of Proceedings

Date of Document: September 18, 2007

Signer(s) Other Than Named Above: N/A

Description of Project

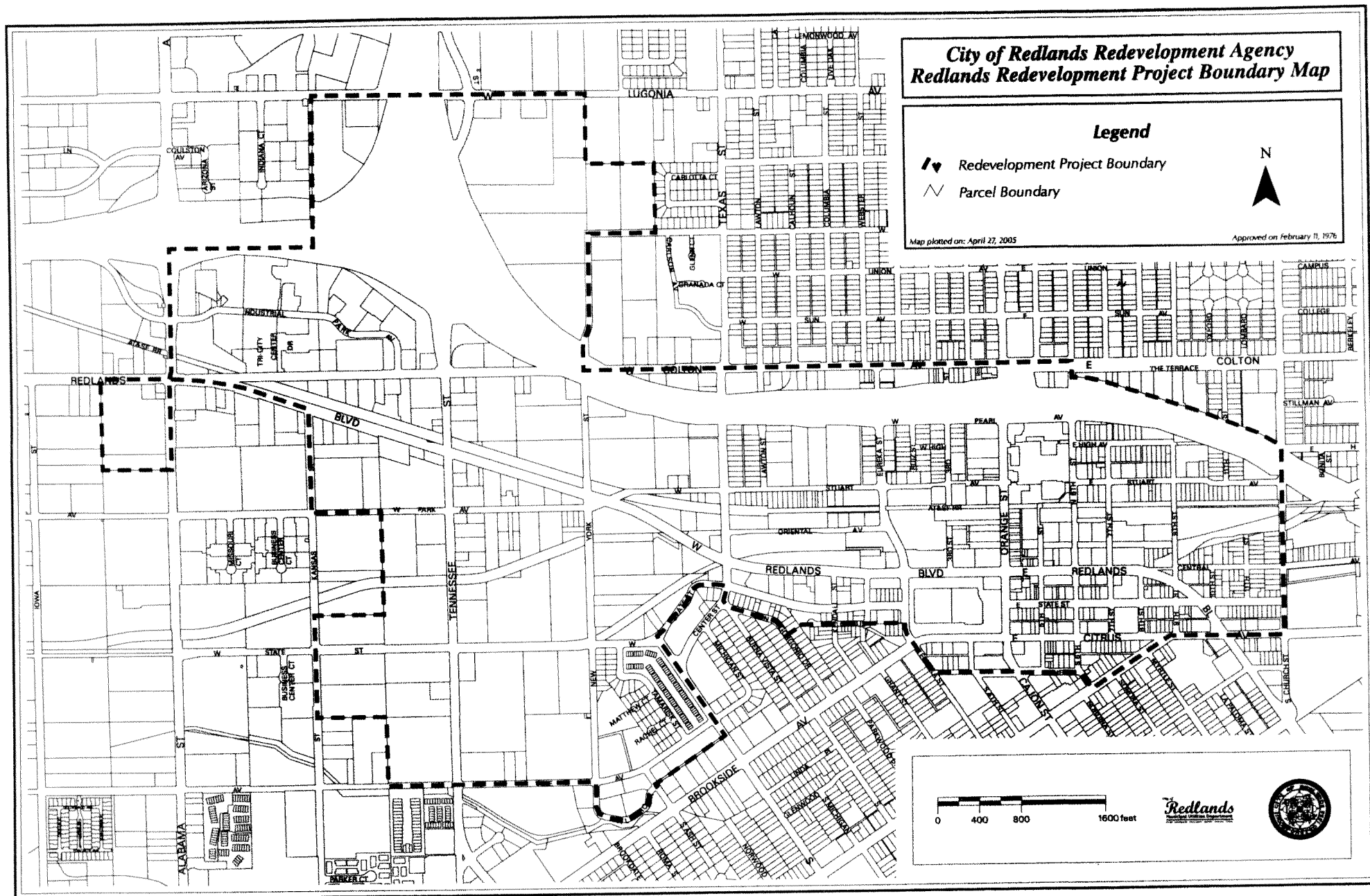
The project boundaries are shown on Exhibit "A" attached hereto and made a part hereof, and are described as follows:

That portion of land, in the City of Redlands, County of San Bernardino, State of California, lying within the following described Boundary:

Beginning at the intersection of the Northeasterly right-of-way line of State Highway No. 26 also known as Interstate 10 with the centerline of Church Street; thence Southerly along said centerline of Church Street to the intersection with the centerline of Citrus Avenue; thence Westerly along said centerline of Citrus Avenue to the intersection with the centerline of Olive Avenue; thence Southwesterly along said centerline of Olive Avenue to the intersection with the centerline of Sixth Street; thence Northwesterly along said centerline of Sixth Street to the intersection with the centerline of Vine Street; thence Westerly along said centerline of Vine Street to the intersection with the centerline of Eureka Street; thence Northwesterly along said centerline of Eureka Street to the intersection with the centerline of Citrus Avenue; thence Westerly along said centerline of Citrus Avenue to the intersection with the centerline of North Eureka Street; thence Northerly along said centerline of North Eureka Street to the intersection with the centerline of alley, said centerline of alley being parallel with and 165 feet more or less South of the centerline of State Street; thence Westerly along said alley to the point of intersection with the centerline of First Street, said point also being the intersection of the centerline of Citrus Avenue with the centerline of First Street; thence Westerly along said centerline of Citrus Avenue to the intersection with the centerline of alley; thence Southwesterly along said centerline of alley to the intersection with the centerline of San Gorgonio Drive; thence Northwesterly along said centerline of San Gorgonio Drive to the intersection with the centerline of Buena Vista Street; thence Northwesterly along said centerline of Buena Vista Street to the intersection with the centerline of Texas Street; thence Northeasterly along said centerline of Texas Street to the intersection with the centerline of State Street; thence Westerly and Southwesterly along said centerline of State Street to the intersection with the centerline of Center Street; thence Southeasterly along said centerline of Center Street to the intersection with the centerline of alley, said centerline of alley being 300 feet Northwesterly of the centerline of Brookside Avenue; thence Southwesterly along said centerline of alley to the intersection with the centerline of Ash Street; thence Southeasterly along said centerline of Ash Street to the intersection with the centerline of Palmbrook Drive; thence Southerly, Westerly and Northerly along said centerline of Palmbrook Drive to the intersection with the centerline of Pine Avenue; thence Westerly along said centerline of Pine Avenue, said centerline of Pine Avenue being the centerline of Orange Avenue West of Tennessee Street, to the intersection with a line parallel with and 660 feet more or less West of the centerline of Tennessee

Street, said parallel line being the City of Redlands boundary line; thence Northerly along said City of Redlands boundary line to the intersection with a line parallel with and 660 feet more or less North of the centerline of Orange Avenue, last said parallel line being the City of Redlands boundary line; thence Westerly along last said City of Redlands boundary line to the intersection with the centerline of Kansas Street; thence Northerly along said centerline of Kansas Street to the intersection with a line parallel with and 330 feet more or less North of the centerline of Citrus Avenue, last said parallel line being the City of Redlands boundary line; thence Easterly along last said City of Redlands boundary line to the intersection with a line parallel with and 660 feet more or less West of the centerline of Tennessee Street, last said parallel line being the City of Redlands boundary line; thence Northerly along last said City of Redlands boundary line to the intersection with the centerline of Park Avenue; thence Westerly along said centerline of Park Avenue to the intersection with the centerline of Kansas Street; thence Northerly along said centerline of Kansas Street to the intersection with the centerline of Redlands Boulevard; thence Northwesterly along said centerline of Redlands Boulevard to the intersection with the centerline of Alabama Street; thence Southerly along said centerline of Alabama Street to its intersection with a line parallel with the North line of Block 12 of Barton Ranch as recorded in Book 6 of Maps, Page 19 in the office of the County Recorder of said County and State; last said parallel line being 450.25 feet as measured northerly along the West line of the East 1/2 of said Block 12 from the intersection of the centerline of Park Avenue with last said West line; thence Westerly along last said parallel line to its intersection with said West line of the East 1/2 of Block 12; thence Northerly along last said West line and its northerly prolongation thereof to its intersection with the centerline of Colton Avenue (now known as Redlands Boulevard), last said intersection being a point on the City of Redlands Boundary line; thence Easterly along last said City of Redlands Boundary line to its intersection with the centerline of Alabama Street; thence Northerly along said centerline of Alabama Street to the intersection with the Westerly prolongation of the South right-of-way line of State Highway No. 26, also known as Interstate 10, thence Easterly along said Westerly prolongation of the South right-of-way line of State Highway No. 26 and the South right-of-way line of State Highway No. 26 to the intersection with a line parallel with and 1320 feet more or less East of the centerline of Alabama Street, last said parallel line being the City of Redlands boundary line; thence Northerly along last said City of Redlands boundary line to the intersection with the centerline of Lugonia Avenue; thence Easterly along said centerline of Lugonia Avenue to the intersection with the Northerly prolongation of the centerline of New York Street; thence Southerly along said Northerly prolongation of the centerline of New York Street to the intersection with a line parallel with and 660 feet more or less North of the centerline of Brockton Avenue; thence Easterly along last said parallel line to the intersection with a line parallel with and 660 feet more or less

East of said Northerly prolongation of the centerline of New York Street; thence Southerly along last said parallel line to the intersection with the centerline of Brockton Avenue; thence Westerly along said centerline of Brockton Avenue to the intersection with the centerline of New York Street; thence Southerly along said centerline of New York Street to the intersection with the centerline of Colton Avenue; thence Easterly along said centerline of Colton Avenue to the intersection with the centerline of Sixth Street; thence Southerly along said centerline of Sixth Street to the intersection with the North right-of-way line of State Highway No. 26, also known as Interstate 10; thence Southeasterly along said North right-of-way line of State Highway No. 26 to the point of beginning.



**REQUEST FOR COUNCIL ACTION**

**SUBJECT: Amendment of the Redevelopment Plan for the Redlands  
Redevelopment Project Area.**

**MOTIONS:**

1. Mayor, request City Clerk to read Ordinance title.
2. I move that the City Council waive further reading of Ordinance No. 2666 in full and that the City Council introduce for first reading Ordinance No. 2666 amending the Redevelopment Plan for the Redlands Redevelopment Project Area to adopt an eminent domain program.
3. I move to authorize and direct staff to record a Revised Statement of Proceedings as soon as feasible, but not later than December 31, 2007.

**BACKGROUND:**

The Redevelopment Agency of the City of Redlands (the "Agency") is a community redevelopment agency organized and existing under the California Community Redevelopment Law (Health and Safety Code § 33000, *et seq.*) (the "CRL") and has been authorized to transact business and exercise the powers of a redevelopment agency pursuant to action of the City Council (the "City Council") of the City of Redlands (the "City"). Pursuant to § 33342.7 of the CRL (which was added by Senate Bill 53, which became effective on January 1, 2007), each redevelopment agency that adopted a final redevelopment plan before January 1, 2007, must adopt, prior to July 1, 2007, an ordinance that contains a description of an agency's program to acquire real property by eminent domain. As a consequence, staff and special counsel have prepared the attached Ordinance, which complies with these new provisions of the CRL. It is, therefore, recommended that the City Council introduce Ordinance No. 2666 during its meeting of June 5, 2007 and adopt it during its meeting of June 19, 2007.

In addition, pursuant to CRL § 33373 (c) (which was added by Senate Bill 1809, which became effective on January 1, 2007), prior to December 31, 2007, the Agency shall cause to be recorded with the County Recorder of the County of San Bernardino a description of the land within the Original Project Area and Added Area No. 1 and a statement that redevelopment proceedings have been instituted ("Revised Statement of Proceedings"). Further, CRL § 33373(d)

requires the recordation of the Revised Statement of Proceedings prior to the Agency's commencement of any future eminent domain actions. Therefore, staff and special counsel have prepared the attached Revised Statement of Proceedings that is suitable for recordation. The above provided motion will authorize and direct staff to record the Revised Statement of Proceedings as soon as feasible, but not later than December 31, 2007.

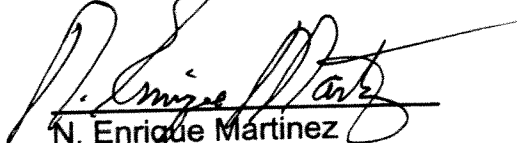
**ALTERNATIVES:**

The Agency Board may wish to provide alternate direction to staff.

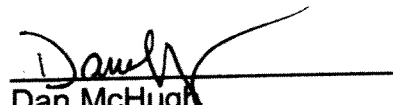
**FISCAL IMPACT:**

The recommended City Council actions are procedural in nature and provide a means of complying with recent amendments to the CRL. Other than the time of staff and special counsel, there are no fiscal impacts related to this matter.

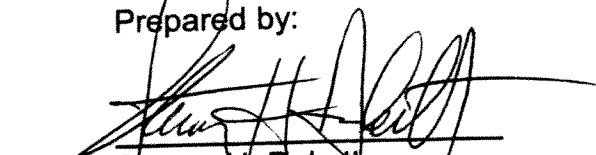
Recommended by:

  
N. Enrique Martinez  
City Manager

Reviewed by:

  
Dan McHugh  
City Attorney

Prepared by:

  
Steven H. Dukett  
Interim Redevelopment Director

**Attachments:**

Ordinance No. 2666  
Revised Statement of Proceedings

## **ORDINANCE NO. 2666**

### **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF REDLANDS, CALIFORNIA, AMENDING THE REDEVELOPMENT PLAN FOR THE REDLANDS REDEVELOPMENT PROJECT AREA TO ADOPT AN EMINENT DOMAIN PROGRAM**

WHEREAS, the Redevelopment Agency of the City of Redlands (the "Agency") is a community redevelopment agency organized and existing under the California Community Redevelopment Law (Health and Safety Code Sections 33000, *et seq.*) (the "CRL") and has been authorized to transact business and exercise the powers of a redevelopment agency pursuant to action of the City Council (the "City Council") of the City of Redlands (the "City"); and

WHEREAS, pursuant to Ordinance No. 1500 adopted on September 26, 1972, and in accordance with the provisions of the CRL, the City Council of the City approved and adopted that certain Redevelopment Plan ("Redevelopment Plan") for the Redlands Redevelopment Project Area ("Original Project Area"); and

WHEREAS, the Redevelopment Plan was subsequently amended pursuant to Ordinance No. 1575 on February 17, 1976, to add certain territory ("Added Area No. 1") to the Original Project Area; and

WHEREAS, on December 16, 1986, the City Council adopted Ordinance No. 1974, which amended the Redevelopment Plan to set limits on the receipt of tax increment funds, the time for the establishment of indebtedness payable from tax increment funds and the timeframe for the commencement of eminent domain proceedings; and

WHEREAS, on November 5, 1996, the City Council adopted Ordinance No. 2336, which amended the Redevelopment Plan to bring it into conformance with the provisions of Assembly Bill 1290; and

WHEREAS, on December 19, 2000, the City Council adopted Ordinance No. 2464, which amended the Redevelopment Plan to reauthorize the power of eminent domain for non-residential real property; and

WHEREAS, on October 7, 2003, the City Council adopted Ordinance No. 2556, which amended the Redevelopment Plan to expand the power of eminent to all real property; and

WHEREAS, on November 4, 2003, the City Council adopted Ordinance No. 2560, which extended the effectiveness deadline and the deadline to repay indebtedness with respect to the Redevelopment Plan for the Original Project Area and Added Area No. 1 by one year, pursuant to CRL § 33333.6(e)(2)(C); and

WHEREAS, on April 17, 2007, the City Council adopted Ordinance 2657, which extended the effectiveness deadline for the Original Project Area and Added Area No. 1 by two

years and extended the latest dates on which the Agency shall pay indebtedness with respect to the Original Project Area and Added Area No. 1 by two years; and

WHEREAS, the Agency is engaged in activities necessary to carry out the Redevelopment Plan, as amended; and

WHEREAS, pursuant to CRL § 33342.7, prior to July 1, 2007, the legislative body of the Agency is required to adopt an ordinance containing a description of the Agency's eminent domain program ("Eminent Domain Program") for the Original Project Area and Added Area No. 1; and

WHEREAS, pursuant to Ordinance No. 2464, adopted on December 19, 2000, Section D.2 of the amended Redevelopment Plan authorized the Agency to acquire certain real property in the Original Project Area and the Added Area No. 1, excepting property on which persons resided, by eminent domain for twelve (12) years following the date of the adoption of Ordinance No. 2464; and

WHEREAS, pursuant to Ordinance No. 2556 adopted on October 7, 2003, the City Council subsequently authorized the Agency to acquire certain real property by eminent domain, including but not limited to property upon which persons reside; and

WHEREAS, in conformance with Ordinance No. 2464, the deadline to acquire real property in the Original Project Area and the Added Area No. 1 pursuant to the use of the power of eminent domain is December 19, 2012, and such deadline has not been extended by the Agency; and

WHEREAS, it is the intent of City Council, as the legislative body of the Agency, to promote effective redevelopment and to discourage abuses of eminent domain powers; and

WHEREAS, the Agency intends to comply with all applicable laws relating to payment of fair market value, relocation expenses, loss of business goodwill and such other damages as may be allowed by law when property is taken by eminent domain; and

WHEREAS, the City now desires to adopt an Eminent Domain Program describing the Agency's program to acquire real property by eminent domain in the Original Project Area and Added Area No. 1 including any limitations on the Agency's exercise of the power of eminent domain in the Original Project Area and Added Area No. 1; and

WHEREAS, City staff has determined that the approval and adoption of this Ordinance does not constitute an approval of any specific program, project or expenditure and does not constitute a project with in the meaning of the California Environmental Quality Act (Public Resources Code § 21000) ("CEQA"); and

WHEREAS, pursuant to the foregoing, City staff has determined that a notice of exemption ("Notice of Exemption") for the approval of this Ordinance should be filed with the

County of San Bernardino, pursuant to CEQA, the State CEQA Guidelines and the City's Local CEQA Guidelines.

**THE CITY COUNCIL OF THE CITY OF REDLANDS DOES ORDAIN AS FOLLOWS:**

**Section 1.** The foregoing recitals are true and correct and are a substantive part of this Ordinance.

**Section 2.** Pursuant to CRL § 33342.7, the Redevelopment Plan is hereby amended to add the Eminent Domain Program for the Original Project Area and the Added Area No. 1 within the territorial jurisdiction of the City by adding the following as the second paragraph of Section D.2 of the Redevelopment Plan, as amended:

“It is in the public interest and is necessary in order to execute this Plan for the power of eminent domain to be employed by the Agency to acquire real property in all portions of the Original Project Area and Added Area No. 1. The Agency shall strictly adhere to the following in assessing just compensation and damages to affected owners: The Fifth Amendment to the United States Constitution, Article I, Section 19 of the California Constitution, the Eminent Domain Law (California Code of Civil Procedure Section 1230.010, et seq.), the California Relocation Assistance Act (California Government Code Section 7260, et seq.), implementing rules and regulations (Title 25, California Code of Regulations) and such other applicable local, state or federal ordinances, statutes, rules, regulations and decisional laws. The Agency shall assess the payment of fair market value for interests in real property, payment for the taking and damaging of improvements, fixtures and equipment, any diminution in value caused to a remainder of property acquired pursuant to a resolution of necessity, relocation benefits and assistance, loss of business goodwill in appropriate cases and the necessary costs of mitigating a loss of business goodwill.”

**Section 3.** Except as amended by this Ordinance, the Redevelopment Plans for the Original Area and Added Area No. 1 are unchanged and in full force and effect in accordance with their terms.

**Section 4.** If any part of this Ordinance is held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, for any reason, such decision shall not affect the validity of the remaining portions of this Ordinance and this City Council hereby declares that it would have passed the remainder of this Ordinance if such invalid or unconstitutional portion thereof had been deleted.

**Section 5.** This Ordinance shall be in full force and effect thirty (30) days after passage.

**Section 6.** The City Clerk shall certify to the passage of this Ordinance and is hereby directed to publish or post this Ordinance in accordance with law.

Section 7. The enactment of this Ordinance is not a project pursuant to the California Environmental Quality Act (Public Resources Code Section 21000 et seq.) and CEQA Guidelines (14 California. Code of Regulations Section 15000 et seq.). Because enactment of this Ordinance is not a project for CEQA purposes, this action is exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3), and staff is directed to file a Notice of Exemption with the County Clerk pursuant to CEQA Guidelines Section 15062 within five days of the adoption date of this Ordinance.

**PASSED AND ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2007.

\_\_\_\_\_  
Jon Harrison, Mayor

**ATTEST:**

\_\_\_\_\_  
Lorrie Poyzer, City Clerk

I, Lorrie Poyzer, City Clerk of the City of Redlands, hereby certify that the foregoing ordinance was duly adopted by the City Council at a regular meeting thereof held on the \_\_\_th day of \_\_\_\_\_ 2007, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

\_\_\_\_\_  
Lorrie Poyzer, City Clerk