

2015 LONG RANGE PROPERTY MANAGEMENT PLAN



Prepared for the:
Successor Agency to the
Redevelopment Agency
of the City of Westmorland
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Table of Contents

I. Introduction	1
II. Summary of Successor Agency Properties	4
III. Property to be Transferred for Future Development	5
IV. Property to be Sold	8
Exhibit A – Successor Agency/City Property Disposition Procedures	10
Exhibit B – Health & Safety Code.....	13
Exhibit C – DOF Finding Of Completion.....	16
Exhibit D – Resolution of the Successor Agency Board	19
Exhibit E – Resolution of the Oversight Board	23
Exhibit F – Assessor Parcel Maps	27



Dissolution of Redevelopment Agencies

Trailer bills ABx1 26 and ABx1 27 were signed by the Governor of California on June 28, 2011, making certain changes to the HSC, including adding Part 1.8 (commencing with § 34161) (“Part 1.8”) and Part 1.85 (commencing with § 34170) (“Part 1.85”) to Division 24 of the HSC. The California Redevelopment Association and League of California Cities filed a lawsuit in the Supreme Court of California (*California Redevelopment Association, et al. v. Matosantos, et al.* (Case No. S194861)) alleging that ABx1 26 and ABx1 27 were unconstitutional. On December 29, 2011, the Supreme Court issued its opinion in the *Matosantos* case largely upholding ABx1 26, invalidating ABx1 27, and holding that ABx1 26 may be severed from ABx1 27 and enforced independently. The Supreme Court generally revised the effective dates and deadlines for performance of obligations under HSC Part 1.85 arising before May 1, 2012 to take effect four months later while leaving the effective dates or deadline for performance of obligations under HSC Part 1.8 unchanged. Consistent with the applicable provisions of the HSC, the City Council elected to serve in the capacity of the Successor Agency to the Redevelopment Agency of the City of Westmorland (the “Successor Agency”).

Further, on June 27, 2012, the Governor signed budget trailer bill AB 1484 into law, resulting in further procedural and substantive changes to the duties of and procedures to be followed by successor agencies, oversight boards, county auditor-controllors and the California Department of Finance (the “DOF”). This includes, but is not limited to, the manner in which the Successor Agency disposes of real property assets. Specifically, AB 1484 added HSC § 34191.5 that requires the Successor Agency to prepare a Long Range Property Management Plan (the “LRPMP”) as a prerequisite to the disposition of real property assets.

Long Range Property Management Plan

Per the applicable provisions of the HSC, no later than six (6) months after a successor agency receives its Finding of Completion from the DOF (per HSC § 34179.7), the Successor Agency must submit its LRPMP to the Oversight Board and the DOF for approval. The LRPMP must include an inventory (with specified information) about each property, and address the use or disposition of each property. Permitted uses for the property pursuant to AB 1484 include:

1. Retention of the property for governmental use;
2. Retention of the property for future development;
3. Sale of the property; and
4. Use of the property to fulfill an enforceable obligation.

Upon DOF’s approval of the LRPMP, the properties are to be placed in a Community Redevelopment Property Trust Fund administered by the Successor Agency in accordance with the approved LRPMP. If the LRPMP plan calls for use or liquidation (sale to obtain revenues) of a property for a project identified in an approved redevelopment plan, that property is to be transferred to the sponsoring community for that purpose. If the LRPMP calls for the liquidation of the property or use of revenues from the property for purposes other than a project identified in a redevelopment plan or other than to fulfill an enforceable obligation, the proceeds from the sale are to be distributed as property taxes to the taxing entities. A general outline of real property disposition procedure is included as Exhibit “A.”



This LRPMP was prepared in compliance with those pertinent sections of the HSC that govern the LRPMP’s prerequisites, content, and approval process. For ease of review, the pertinent sections of the HSC are included in Exhibit “B.”

The Successor Agency received its Finding of Completion from the DOF on August 7, 2013 (Exhibit “C”). The LRPMP was approved by Resolution of the Successor Agency Board on September _____, 2015 (Exhibit “D”) and by Resolution of the Oversight Board on September _____, 2015 (Exhibit “E”).



II. Summary of Successor Agency Properties

The Successor Agency has control of two (2) parcels, both of which are located within the boundaries of the City of Westmorland and are subject to the provision of the Agency's Project Area Redevelopment Plan and subsequent amendments, and the City's General Plan, Municipal Code and land use regulations.

The parcels have been divided into two (2) sites as summarized in the table below:

Successor Agency: Westmorland City
County: Imperial

Site Data							Property Value/Sale Info						Other Property Information										
		HSC 34191.5 (c)(1)(C)		HSC 34191.5 (c)(2)			HSC 34191.5 (c)(1)(A)			SALE OF PROPERTY (If applicable)			HSC 34191.5 (c)(1)(B)	HSC 34191.5 (c)(1)(C)	HSC 34191.5 (c)(1)(D)	HSC 34191.5 (c)(1)(E)		HSC 34191.5 (c)(1)(F)	HSC 34191.5 (c)(1)(G)		HSC 34191.5 (c)(1)(H)		
Site No.	Prop Type ¹	Address	APN ²	Permissible Use	If Sale of Prop...Proceeds to be used for?	Permissible Use Detail	Acquisition Date	Value at Time of Acquisition	Estimated Current Value	Date of Est'd Current Value	Estimated Current Value Basis	Proposed Sale Value	Proposed Sale Date	Purpose for which property was acquired	Lot Size (acres)	Current Zoning	Estimate of Current Parcel Value	Annual Estimate Income/Rev	Contractual use income/rev	Historic environmental contamination?	Potential as a TOD?	Advancements of SA planning objectives?	History of previous develop proposals and activity?
1	5 th Street Vacant Residential Property	288 W. 5 th Street	035-272-006	FD	N/A	See LRPMP Text	Jun 2011	\$1,908	\$7,500	Jul 2015	NDC Sale Comps	N/A		Alleviate Physical & Economic Blight	0.09	R-2	\$7,500	None	N/A	None	No	Yes	No
2	"I" Street Vacant Residential Property	462 N. "I" Street	035-242-016	Sell	EO	See LRPMP Text	Jun 2011	\$11,484	\$15,000 ³	May 2015	Sale Price	\$15,000 ³	May 2015	Alleviate Physical & Economic Blight	0.15	R-2	\$15,000 ³	None	N/A	None	No	Yes	Yes

¹ Real Property in Fee

² See Exhibit "F" for Assessor Parcel Maps

³ Minus \$1,500 Broker's Fee from \$15,000 selling price

EO – Enforceable Obligation

FD – Futures Development

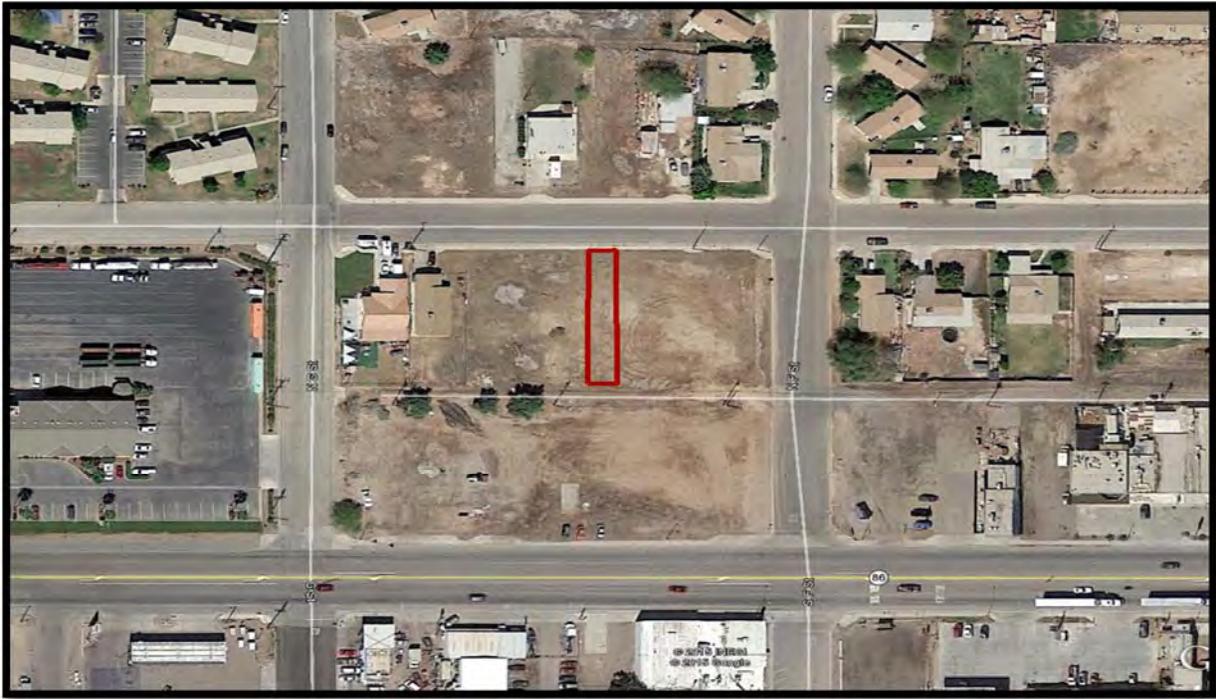
NDC – National Data Collective (www.ndcdata.com)

R-2 – Residential low/medium



III. Property to be Transferred for Future Development

Site No. 1
5th Street Vacant Residential Property
288 W. 5th Street
APN: 035-272-006



- A. **Permissible Use (HSC § 34191.5(c)(2)):**
Site No. 1 is the 5th Street Vacant Residential Property and is proposed to be transferred to the City of Westmorland for future development pursuant to HSC 34191.5(c)(2).
- B. **Acquisition of Property (HSC § 34191.5 (c)(1)(A) and § 34191.5(c)(1)(B)):**
Agency Resolution RDA06-03, dated November 1, 2006, authorized the Agency to acquire the 5th Street Vacant Residential Property in an Imperial County tax sale for \$1,908. The 5th Street Vacant Residential Property was purchased in order to meet the revitalization goals of the City and the Agency to alleviate the existence and spread of physical and economic blight.

The estimated current value (the “ECV”) for 5th Street Vacant Residential Property is \$7,500.

- C. **Site Information (HSC § 34191.5(c)(1)(C)):**
The 5th Street Vacant Residential Property consists of one (1) 0.09-acre parcel (APN: 035-272-006) located at 288 W. 5th Street.

The 5th Street Vacant Residential Property is zoned Residential Low/Medium (R-2). It is the intent of the R-2 residential zone to provide for development at low and medium densities on lots not less than 6,000 sf in area, and the protection of these zones from incompatible uses. The 5th Street Vacant Residential Property is a sub-standard lot that does not meet the minimum lot size requirements of the City’s development code in that it is only 3,920 sf in size. Consequently, by itself the City’s development code will not allow the lot to be developed for residential purposes. Consequently, the development of the 5th Street Vacant Residential Property will require increasing the size of the lot through acquisition, which the City intends to do (see Section G below).

- D. **Estimated Current Value (HSC § 34191.5 (c)(1)(D)):**
To determine an ECV for the 5th Street Vacant Residential Property, the Agency conducted a sales comparable analysis through the National Data Collective.¹ The result of this analysis produced an ECV of a conforming lot (>6,000 sf) to be \$15,000. However, since the 5th Street Vacant

¹ www.ndcdata.com



Residential Property is a non-conforming sub-standard lot that does not comply with the City's development standard for lot sizes as described Section C, above and further described in Section G, below. Based on the foregoing, the ECV for the 5th Street Vacant Residential Property was determined to be approximately \$7,500, which is one-half of the current ECV of a confirming lot.

E. Site Revenues (HSC § 34191.5(c)(1)(E)):

There are no site revenues generated from the 5th Street Vacant Residential Property.

F. History of Environmental Contamination (HSC § 34191.5 (c)(1)(F)):

There is no known history of environmental reports for the 5th Street Vacant Residential Property.

G. Potential for Transit Oriented Development (TOD) and the Advancement of Planning Objectives of the Successor Agency (HSC § 34191.5 (c)(1)(G)):

There is no potential for a TOD in conjunction with 5th Street Vacant Residential Property.

The City proposes to retain the 5th Street Vacant Residential Property for future development of affordable housing after the City acquires additional adjoining land. This advances the Successor Agency's and City's planning objectives for the Project Area through the development of affordable housing that will lead to the replacement, rehabilitation, and preservation of the supply of low- and moderate-income housing units and off-site improvements. In addition, due to its non-conforming lot size (i.e., 3,920 sf), it is the intent of the City, at its own expense, to purchase one of the vacant sub-standard lots that adjoin the 5th Street Vacant Residential Property (on either side) in order to create a larger parcel that conforms to the City's development code size standard of 6,000 sf minimum for the R-2 zoning.

H. History of Previous Development Proposals and Activity (HSC § 34191.5 (c)(1)(H)):

Google Earth® maps indicate that between 1992 and 1996 there was a building on the Property and between 1996 and 2002, the building was demolished. There are no current development proposals or activities in conjunction with the 5th Street Vacant Residential Property.

I. Sale of Property:

Subsequent to the City's acquisition of an adjoining parcel, the City proposes to issue an RFP in accordance with the City policies and procedures for property disposition located in Exhibit "A" for the future sale and development of the 5th Street Vacant Residential Property together with the adjoining parcel.

The estimated current value of the 5th Street Vacant Residential Property is approximately \$4,500.

Date of estimated current value – July 2015

Value Basis – The ECV was determined by a comparable sales analysis using the National Data Collective subscription service. The ECV is approximately \$7,500.

Proposed sale date – TBD

Proposed sale value – TBD

J. Implementation of the Long-Range Property Management Plan:

Following the approval of the LRPMP by the DOF, the Successor Agency will implement the LRPMP.

For the 5th Street Vacant Residential Property, the City of Westmorland intends to secure an HSC § 34180 (f)(1) compensation agreement (the "Compensation Agreement") with the affected taxing entities. The City will seek a Compensation Agreement with the affected taxing entities after the LRPMP is approved by DOF. Waiting until DOF's approval is received will ensure that the legal and staff time committed to preparing for and processing a Compensation Agreement is not wasted in the event that DOF decides not to approve the LRPMP. The City is concerned that it will not be fruitful to attempt to engage numerous taxing agencies in discussions about proceeds from the sale of properties when the timing of sale is not known and the price has not been determined. Further, this approach will also ensure that the affected taxing entities do not waste their legal and staff time reviewing a Compensation Agreement that would otherwise become mute in the event of a DOF denial. However, if DOF approves the LRPMP, then prior to the transfer of the property to the City, the City will prepare a Compensation Agreement and diligently seek the approval of the affected taxing entities. If the Compensation Agreement is approved, then the transfer of the property to the City will occur thereafter consistent with the provisions of the Compensation Agreement. If for any reason the Compensation Agreement is not approved by all affected taxing



entities, then the affected properties will be transferred to the City pursuant to the authority provided by HSC § 34180 (f)(2), wherein the value of the affected properties will be determined as the fair market value as of the 2011 property tax lien date, as determined by an independent appraiser, and approved by the Oversight Board. In addition, if a Compensation Agreement cannot be reached by all of the affected taxing entities, then the net proceeds of the sale of the property will be used for enforceable obligations as shown on the approved ROPS, or submitted to the County Auditor Controller for distribution to the affected taxing entities.



IV. Property to be Sold

Site No. 2
“I” Street Residential Property
462 N. “I” Street
APN: 035-242-016



A. Permissible Use (HSC § 34191.5(c)(2)):

Site No. 2 is the “I” Street Residential Property (the “I” Street Vacant Residential Property”) and was sold by the City of Westmorland in May 2015.

B. Acquisition of Property (HSC § 34191.5 (c)(1)(A) and § 34191.5(c)(1)(B)):

Agency Resolution RDA06-04, dated December 6, 2006, authorized the Agency to acquire the “I” Street Vacant Residential Property in an Imperial County tax sale for \$11,484. The “I” Street Vacant Residential Property was purchased in order to meet the revitalization goals of the City and the Agency to alleviate the existence and spread of physical and economic blight.

The estimated current value (the “ECV”) for the “I” Street Vacant Residential Property is \$15,000.

C. Site Information (HSC § 34191.5(c)(1)(C)):

The “I” Street Vacant Residential Property consists of one (1) 0.15-acre parcel (APN: 035-242-016) located at 462 N. “I” Street.

The “I” Street Vacant Residential Property is zoned Residential Low/Medium (R-2). It is the intent of the R-2 residential zone to provide for development at low and medium densities on lots not less than 6,000 sf in area, and the protection of these zones from incompatible uses.

D. Estimated Current Value (HSC § 34191.5 (c)(1)(D)):

The “I” Street Vacant Residential Property ECV is of a conforming lot size of 6,500 sf. The ECV for this conforming lot was determined based on its May 2015 open fair-market sales price of \$15,000. The property was listed with a local real estate broker (see Section H, below) and the sales price is equal to the listing price.

E. Site Revenues (HSC § 34191.5(c)(1)(E)):

There are no site revenues generated from the “I” Street Vacant Residential Property.

F. History of Environmental Contamination (HSC § 34191.5 (c)(1)(F)):

There is no known history of environmental reports for the “I” Street Vacant Residential Property.



G. Potential for Transit Oriented Development (TOD) and the Advancement of Planning Objectives of the Successor Agency (HSC § 34191.5 (c)(1)(G)):

There is no potential for a TOD in conjunction with “I” Street Vacant Residential Property.

The sale of the “I” Street Vacant Residential Property advances the Successor Agency’s and City’s planning objectives for the Project Area through the development of housing to alleviate the spread of physical and economic blight.

H. History of Previous Development Proposals and Activity (HSC § 34191.5 (c)(1)(H)):

Google Earth® maps indicate that between 1992 and 2010 there was a building on the Property and between 2010 and 2012, the building was demolished.

During January 2015, under the belief that the Successor Agency needed to liquidate its real estate assets as soon as possible, a Vacant Land Listing Agreement was entered into with Childers Real Estate (a real estate brokerage firm). After an approximately three-month long listing period, at the April 15, 2015 meeting of the Successor Agency Board, the Board authorized escrow documents to finalize the sale of the “I” Street Vacant Residential Property. On May 15, 2015, the Vacant Land Purchase Agreement was approved to sell the “I” Street Vacant Residential Property to a private party for \$15,000. The Successor Agency’s net proceeds, after offsets for applicable fees, were \$13,546. Subject to the approval of this LRPMP, the \$13,546 of net proceeds, which have been held in reserve, are to be used for future enforceable obligations with respect to the Successor Agency’s semi-annual ROPS. The use of such funds for the ROPS is a practical necessity as the Successor Agency remains cash-flow insolvent.

I. Sale of Property:

Date of sale – May 15, 2015

Sale value – \$15,000 (netting \$13,546)

J. Implementation of the Long-Range Property Management Plan:

Following the approval of the LRPMP by the DOF, the Successor Agency will propose the use of the \$13,546 of net land sales proceeds obtained from the sale of the “I” Street Vacant Residential Property for enforceable obligations on its semi-annual ROPS. It is anticipated that the proposed use of these funds will be reported in ROPS 15-16B.



Exhibit A – Successor Agency/City Property Disposition Procedures

The following is only a general outline for the disposition of property by the Successor Agency. It is anticipated that the Successor Agency may from time to time adopt policies and procedures that are more specific during the implementation phase of the LRPMP.

I. PURCHASE AND SALE PROCEDURES

1. Post notice on Successor Agency website:
“All persons interested in receiving solicitations for the disposition of Successor Agency property please email xyz@cityofthefuture.org with your contact information and “Purchase and Sale of Successor Agency Property” in the Subject line.”
2. Successor Agency will provide written solicitations for the sale of its real estate assets, which may be a single parcel or a grouping of parcels (the “Property”). Such formal solicitations will include, but not be limited to:
 - a. APN(s)
 - b. Property location
 - c. Zoning
 - d. Acreage
 - e. Listing Price (The listing price shall either be (i) not less than fair market value under an appraisal procured by the Successor agency or (ii) another amount approved for such purpose by the Oversight Board)
 - f. Purchase Price shall be all cash at close of escrow, no seller financing.
 - g. Deadline to receive offers (prior to selection, offers are confidential)
 - h. Offer submittal guidelines:
 - i. All offers must be in writing (California Association of Realtor forms are acceptable);
 - ii. Successor Agency will provide courtesy to brokers equal to one-half of the customary commission if the ultimate buyer is represented by said real estate broker as buyer’s broker at the time the original offer is submitted.
 - iii. Provided that allowance of brokerage commissions will be subject to Oversight Board approval in each case;
 - iv. Approval of each sale may be subject to DOF approval;
 - v. Type of financing identified (i.e., buyer’s cash, buyer’s loan proceeds, etc.);
 - vi. All buyers are to be listed – no silent partners; and
 - vii. Offers will be reviewed for conflict of interest between offeror and Successor Agency/City officials, staff and consultants.
 - i. Some properties for sale consist of multiple parcels. Only offers that include all parcels identified by Successor Agency on a particular site may be accepted, i.e., no less than whole purchases.
3. Method of Solicitations:
 - a. Property posting
 - b. Successor Agency website posting
 - c. Local real estate brokers
 - d. All persons requesting solicitations
 - e. Workshops and/or e-mail notifications
4. All property sales are in an “AS IS, WHERE IS” condition.
5. The Successor Agency will be reimbursed from the sale proceeds of the property for any costs related to the appraisal, escrow and title fees (cost of CLTA policy with premium based upon sales price), and any other costs associated with the sale.
6. An offer may be rejected if it does not meet the Successor Agency’s price threshold. Acceptance of a purchase and sale offer is subject to approval of the Successor Agency’s Board of Directors.



7. The City shall have a right of first refusal in connection with the purchase of property. In the event a submittal is received, such right of first refusal may be exercised by means of the City: (i) notifying the Oversight Board and the party which made an offer (in either order) of the City's intention to acquire the property for monetary consideration in an amount equal to or greater than that offered by the offering party, and (ii) obtaining confirmation of such purchase by the Oversight Board.
8. The City shall have an option to purchase property based upon values agreed to by the Oversight Board. The option may be exercised as to one or more properties at a time or times of the City's choosing.
9. If the City determines that it is infeasible to otherwise market and dispose of certain properties, the Successor Agency may auction such property or properties at a time or times consented to by the Oversight Board.

II. REQUEST FOR PROPOSAL PROCEDURES

Costs incurred by the Successor Agency and/or the City in the implementation of these Disposition Procedures shall be treated as an Enforceable Obligation for purposes of the Recognized Obligation Payments Schedule ("ROPS") of the Successor Agency to be recovered from land sales proceeds. The City shall provide the Successor Agency an estimate of such costs at such times and in a form sufficient for the Successor Agency to include such costs on one or more ROPS, as appropriate. Included in such costs are: staff time in the performance of such duties; costs and fees of consultants, attorneys, appraisers, title insurers and escrow; costs and fees in connection with the disposition of property(ies), such as unpaid and outstanding tax liens or judgments and other costs incurred in order to deliver merchantable title. Where possible, the Successor Agency is to recover costs at the time of close of escrow.

A) INTENT AND PURPOSE

A Request for Proposals ("RFP") will be prepared by the Successor Agency and posted to the City's website, and/or sent to developers or parties that have requested such RFPs, and other developers or parties at the Successor Agency's discretion. The number of properties as to which an RFP is requested is subject to the discretion of the Successor Agency.

B) PROPOSAL SUBMITTAL

1. Interested parties may submit a development proposal by the deadline specified in the RFP or other announcement.
2. Proposal requirements may include, but not be limited to, the following:
 - a. The proposed total consideration for the property(ies) and information supporting the offer price;
 - b. Any proposed alterations to the terms and conditions of sale;
 - c. Construction and development pro forma, a detailed site plan, a business/operating plan, developer qualifications, experience and references, a narrative description of the market support for the proposed project, an operating pro forma, as applicable, and an explanation of the economic benefits of the proposed project to the City, other affected taxing agencies and the community;
 - d. The proposed uses are to conform to the requirements, intent, goals, and objectives of the City General Plan/Zoning Ordinance, other applicable development standards, and other applicable federal, state, and local laws, codes and regulations.
 - e. A statement that no financial assistance is being requested from any governmental agency in connection with the proposal, or a statement that financial assistance is being requested from a governmental agency in connection with the proposal, indicating the amount that will be requested, the anticipated timing for consideration of such request, and a description of any discretionary process required by the governmental agency from which assistance will be requested, together with an acknowledgment that conditioning a proposal upon receipt of assistance from a governmental agency may result in the rejection of such proposal;
3. Interested parties to provide such additional information as may be requested in good faith by Successor Agency.
4. Subsequent to review, applicants will be advised regarding the development proposals submitted complying with the requirements of the RFP or whether additional information is required.



C) PROPOSAL REVIEW

1. The Successor Agency will review all proposals received and determined by Successor Agency staff to be complete.
2. Among other things, the Successor Agency's review will consider the value of the asset in question being maximized as well as the proposal furthering the objectives of the Successor Agency's General Plan and not negatively impacting property interest of landowners holding property near the asset in question.
3. Nothing in these Procedures prohibits the Successor Agency or the City from requiring information that is in addition to the foregoing or obligates the Successor Agency in selecting any proposal. Neither the City nor the Successor Agency will bear any responsibility for the costs associated with preparing and submitting a proposal.

D) NEGOTIATING AGREEMENTS

The Successor Agency may enter into an Exclusive Right to Negotiate Agreement ("ERNA") with a selected project proponent. The purpose of the ERNA is to establish a time period during which the chosen applicant shall have the right to negotiate with the Successor Agency the terms and conditions of a sales and development contract. Therefore, a Disposition and Development Agreement may follow the ERNA if applicable.

E) ALTERNATIVE METHODS OF DISPOSITION

The City shall have a right of first refusal in connection with the purchase of property. In the event a submittal is received, such right of first refusal may be exercised by means of the City: (i) notifying the Oversight Board and the party which made an offer (in either order) of the City's intention to acquire the property for monetary consideration in an amount equal to or greater than that offered by the offering party, and (ii) obtaining confirmation of such purchase by the Oversight Board.

The City shall have an option to purchase property based upon values agreed to by the Oversight Board. The option may be exercised as to one or more properties at a time or times of the City's choosing.

If the City determines that it is infeasible to otherwise market and dispose of certain properties, the Successor Agency may auction such property or properties at a time or times consented to by the Oversight Board.



Exhibit B – Health & Safety Code

HSC § 34191.1, reads as follows:

The provisions of this chapter shall apply to a City upon that agency's receipt of a finding of completion by the Department of Finance pursuant to Section 34179.7.

HSC § 34191.3, reads as follows:

Notwithstanding Section 34191.1, the requirements specified in subdivision (e) of Section 34177 and subdivision (a) of Section 34181 shall be suspended, except as those provisions apply to the transfers for governmental use, until the Department of Finance has approved a long-range property management plan pursuant to subdivision (b) of Section 34191.5, at which point the plan shall govern, and supersede all other provisions relating to, the disposition and use of the real property assets of the former redevelopment agency. If the department has not approved a plan by January 1, 2015, subdivision (e) of Section 34177 and subdivision (a) of Section 34181 shall be operative with respect to that City.

HSC § 34191.4, reads as follows:

The following provisions shall apply to any City that has been issued a finding of completion by the Department of Finance:

- (a) All real property and interests in real property identified in subparagraph (C) of paragraph (5) of subdivision (c) of Section 34179.5 shall be transferred to the Community Redevelopment Property Trust Fund of the City upon approval by the Department of Finance of the long-range property management plan submitted by the City pursuant to subdivision (b) of Section 34191.7 unless that property is subject to the requirements of any existing enforceable obligation.
- (b) (1) Notwithstanding subdivision (d) of Section 34171, upon application by the City and approval by the oversight board, loan agreements entered into between the redevelopment agency and the city, county, or city and county that created by the redevelopment agency shall be deemed to be enforceable obligations provided that the oversight board makes a finding that the loan was for legitimate redevelopment purposes.

(2) If the oversight board finds that the loan is an enforceable obligation, the accumulated interest on the remaining principal amount of the loan shall be recalculated from origination at the interest rate earned by funds deposited into the Local Agency Investment Fund. The loan shall be repaid to the city, county, or city and county in accordance with a defined schedule over a reasonable term of years at an interest rate not to exceed the interest rate earned by funds deposited into the Local Agency Investment Fund. The annual loan repayments provided for in the recognized obligations payment schedules shall be subject to all of the following limitations:

(A) Loan repayments shall not be made prior to the 2013-14 fiscal year. Beginning in the 2013-14 fiscal year, the maximum repayment amount authorized each fiscal year for repayments made pursuant to this subdivision and paragraph (7) of subdivision (e) of Section 34176 combined shall be equal to one-half of the increase between the amount distributed to the taxing entities pursuant to paragraph (4) of subdivision (a) of Section 34183 in that fiscal year and the amount distributed to taxing entities pursuant to that paragraph in the 2012-13 base year. Loan or deferral repayments made pursuant to this subdivision shall be second in priority to amounts to be repaid pursuant to paragraph (7) of subdivision (e) of Section 34176.

(B) Repayments received by the city, county or city and county that formed the redevelopment agency shall first be used to retire any outstanding amounts borrowed and owed to the Low and Moderate Income Housing Fund of the former redevelopment agency for purposes of the Supplemental Educational Revenue Augmentation Fund and shall be distributed to the Low and Moderate Income Housing Asset Fund established by subdivision (d) of Section 34176.

(C) Twenty percent of any loan repayment shall be deducted from the loan repayment amount and shall be transferred to the Low and Moderate Income Housing Asset Fund, after all outstanding loans from the Low and



Moderate Income Housing Fund for purposes of the Supplemental Educational Revenue Augmentation Fund have been paid.

(c) (1) Bond proceeds derived from bonds issued on or before December 31, 2010, shall be used for the purposes for which the bonds were sold.

(2) (A) Notwithstanding Section 34177.3 or any other conflicting provision of law, bond proceeds in excess of the amounts needed to satisfy approved enforceable obligations shall thereafter be expended in a manner consistent with the original bond covenants. Enforceable obligations may be satisfied by the creation of reserves for projects that are the subject of the enforceable obligation and that are consistent with the contractual obligations for those projects, or by expending funds to complete the projects. An expenditure made pursuant to this paragraph shall constitute the creation of excess bond proceeds obligations to be paid from the excess proceeds. Excess bond proceeds obligations shall be listed separately on the Recognized Obligation Payment Schedule submitted by the City.

(B) If remaining bond proceeds cannot be spent in a manner consistent with the bond covenants pursuant to subparagraph (A), the proceeds shall be used to defease the bonds or to purchase those same outstanding bonds on the open market for cancellation

HSC § 34191.5, reads as follows:

(a) There is hereby established a Community Redevelopment Property Trust Fund, administered by the City, to serve as the repository of the former redevelopment agency's real properties identified in subparagraph (C) of paragraph (5) of subdivision (c) of Section 34179.5.

(b) The City shall prepare a long-range property management plan that addresses the disposition and use of the real properties of the former redevelopment agency. The report shall be submitted to the oversight board and the Department of Finance for approval no later than six months following the issuance to the City of the finding of completion.

(c) The long-range property management plan shall do all of the following:

(1) Include an inventory of all properties in the trust. The inventory shall consist of all of the following information:

(A) The date of the acquisition of the property and the value of the property at that time, and an estimate of the current value of the property.

(B) The purpose for which the property was acquired.

(C) Parcel data, including address, lot size, and current zoning in the former agency redevelopment plan or specific, community, or general plan.

(D) An estimate of the current value of the parcel including, if available, any appraisal information.

(E) An estimate of any lease, rental, or any other revenues generated by the property, and a description of the contractual requirements for the disposition of those funds.

(F) The history of environmental contamination, including designation as a brownfield site, any related environmental studies, and history of any remediation efforts.

(G) A description of the property's potential for transit-oriented development and the advancement of the planning objectives of the City.

(H) A brief history of previous development proposals and activity, including the rental or lease of property.

(2) Address the use or disposition of all of the properties in the trust. Permissible uses include the retention of the property for governmental use pursuant to subdivision (a) of Section 34181, the retention of the property for future development, the sale of the property, or the use of the property to fulfill an enforceable obligation. The plan shall separately identify and list properties in the trust dedicated to governmental use purposes and properties retained for purposes of fulfilling an enforceable obligation. With respect to the use or disposition of all other properties, all of the following shall apply:



(A) If the plan directs the use or liquidation of the property for a project identified in an approved redevelopment plan, the property shall transfer to the city, county, or city and county.

(B) If the plan directs the liquidation of the property or the use of revenues generated from the property, such as lease or parking revenues, for any purpose other than to fulfill an enforceable obligation or other than that specified in subparagraph (A), the proceeds

from the sale shall be distributed as property tax to the taxing entities.

(C) Property shall not be transferred to a City, city, county, or city and county, unless the long-range property management plan has been approved by the oversight board and the Department of Finance.

Note: HSC § 34191.2 does not exist and therefore is not included above.



Exhibit C – DOF Finding Of Completion



Exhibit D – Resolution of the Successor Agency Board



Exhibit E – Resolution of the Oversight Board



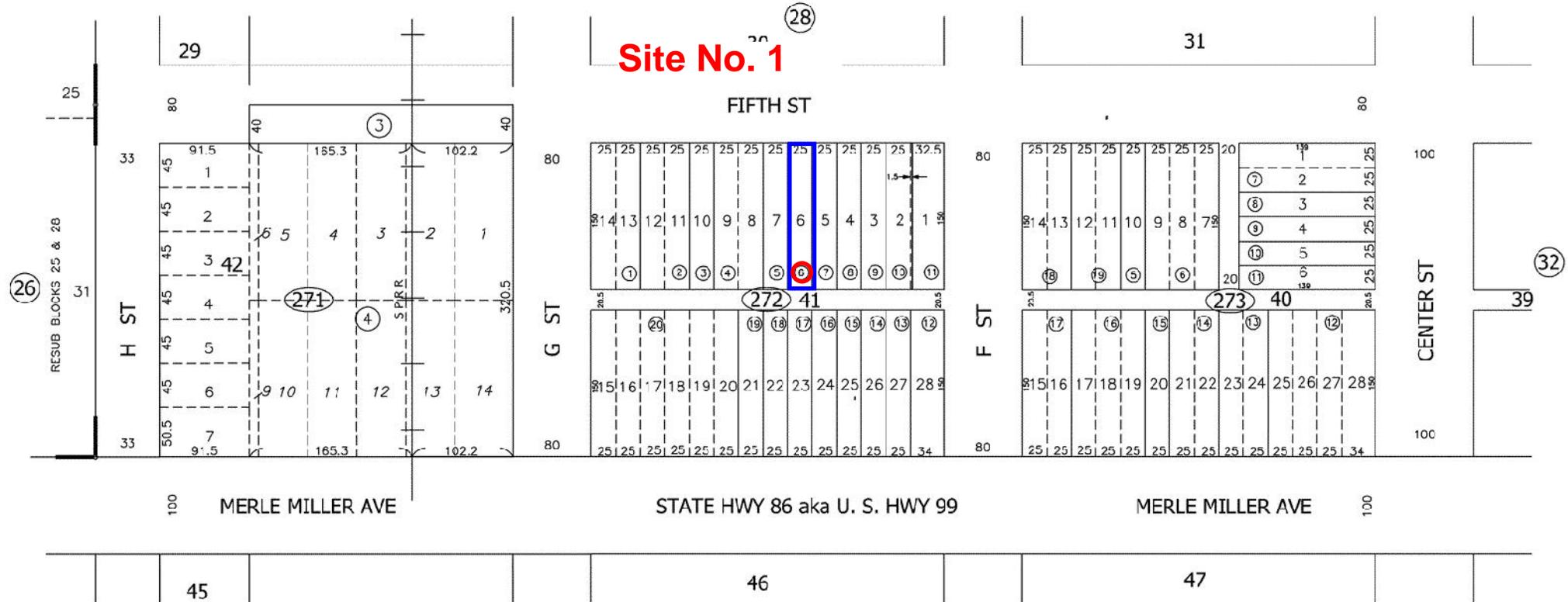
Exhibit F – Assessor Parcel Maps

POR RESUB OF TOWNSITE OF WESTMORLAND

OM 3-54
ROS 9-13

Tax Area Code
7-005

35-27



05-20-08 MF
11-14-01 AR
10-26-99 RM
6-27-96 DP
5-7-90 RM
10-3-89 RM

DISCLAIMER:
THIS IS NOT AN OFFICIAL MAP.
THIS MAP WAS CREATED FOR THE IMPERIAL COUNTY
ASSESSOR, FOR THE SOLE PURPOSE OF AIDING IN
THE PERFORMANCE OF THE DUTIES OF THE ASSESSOR.
ANY ERRORS OR OMISSIONS IN THIS MAP ARE NOT
THE RESPONSIBILITY OF THE COUNTY OF IMPERIAL

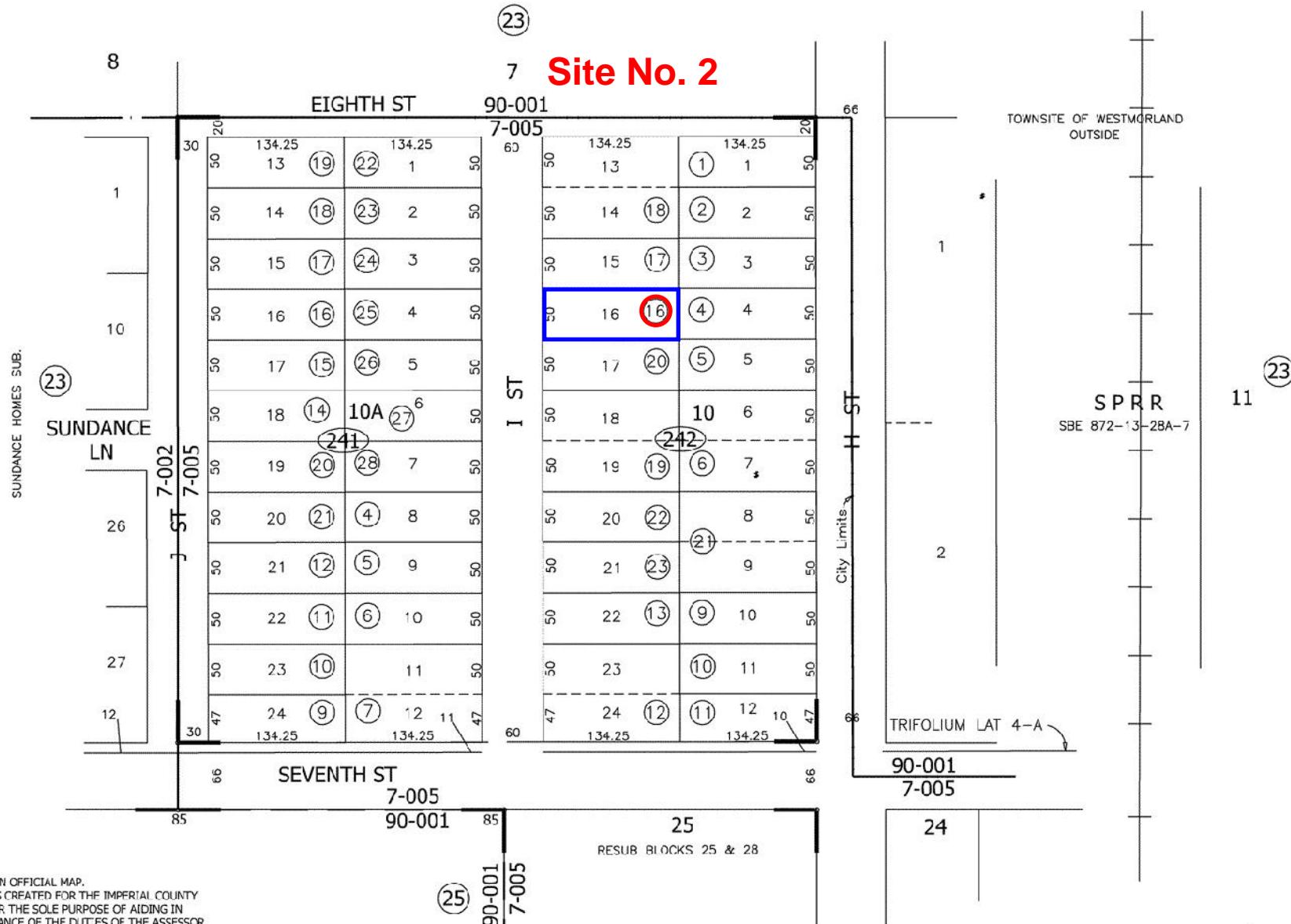


CITY OF WESTMORLAND
Assessor's Map Bk.35-Pg.27
County of Imperial, Calif.

RESUB BLOCK 10 POR TOWNSITE OF WESTMORLAND
OM 5-22

Tax Area Code
7-005

35-24'



05-24-04 AR
 10-26-99 RM
 1-8-97 RM
 3-4-93 RM
 4-15-91 RM
 12-7-90 RM
 10-25-88 RM

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