

RESOLUTION NO. 7496

**CITY OF SOUTH GATE
LOS ANGELES COUNTY, CALIFORNIA**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOUTH GATE TRANSFERRING THE CONDITIONS AND OBLIGATIONS PREREQUISITE TO THE FINAL VACATION OF PORTIONS OF MASON, BURKE, AND HILDRETH STREETS AS ADOPTED IN RESOLUTION NO. 7471 TO ATLANTIC-FIRESTONE, LLC AS CONTINUING OBLIGATIONS AND TO BECOME CONDITIONS OF THE INFRASTRUCTURE FINANCING AND FEE WAIVER AGREEMENT AND JOINT ESCROW INSTRUCTIONS AND THE VESTING TENTATIVE TRACT MAP UNTIL COMPLETE

WHEREAS, the City of South Gate, a California municipal corporation, previously adopted Resolution No. 7471, a Resolution conditionally approving the vacation of portions of Mason, Burke and Hildreth Streets west of Atlantic Avenue and north of Firestone Boulevard; and

WHEREAS, the conditions of Section 5 of Resolution No. 7471 required: 1) the conveyance and dedication of certain properties along Atlantic Avenue and Firestone Boulevard for street widening purposes, 2) that the Developer of the azalea Project ("Developer") dedicate and grant certain utility easements to City; 3) that the Developer of the azalea Project and the property owner adjacent to the azalea Project, in connection with the removal of Wright Place, arrange a vehicular access agreement or Developer make other provisions for vehicle access to the adjacent property in lieu of Wright Place; and 4) that the existing utilities be disconnected, abandoned in place, and/or relocated/removed. All of these conditions were to have been completed before the recordation of Resolution No. 7471, which recordation will act as the final vacation of the portions of the referenced streets; and

WHEREAS, Condition 1 has been completed by way of recordation of dedications on December 22, 2011, and Conditions 2, 3 and 4 are intended by City and Developer to be satisfied by Developer consistent with the terms and conditions of the Infrastructure Financing and Fee Waiver Agreement and Joint Escrow Instructions prior to recordation of the Vacation Resolution and to be made continuing obligations and conditions to finalization of Developer's Vesting Tentative Tract Map No. 71625; and

WHEREAS, concurrently with the consideration of this Resolution, the City Council of the City of South Gate is considering a Resolution to adopt and approve the Infrastructure Financing and Fee Waiver Agreement and Joint Escrow Instructions, provisions of which would require the Developer of the azalea Project to comply with and perform Conditions 2, 3 and 4 of Section 5 of Resolution No. 7471;

NOW, THEREFORE THE CITY COUNCIL OF THE CITY OF SOUTH GATE DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. The City Council of the City of South Gate finds that the Recitations set forth above are true and accurate and are incorporated into this Resolution.

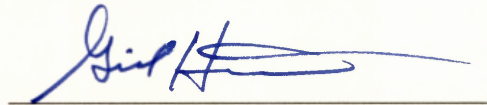
SECTION 2. The City Council of the City of South Gate further finds and determines that Developer's commitment to fulfill Conditions 2, 3 and 4 through the terms and conditions of the Infrastructure Financing and Fee Waiver Agreement and Joint Escrow Instructions satisfactorily transfers the conditions to final vacation of the portions of the referenced streets to Developer. Conditions 2, 3 and 4 of Section 5 of Resolution No. 7471 shall be conditions to Developer's intended Vesting Tentative Tract Map No. 71625 for the azalea Project.

SECTION 3. Upon Developer's compliance with the commitments and obligations related to final street vacation contained in the Infrastructure Financing and Fee Waiver Agreement and Joint Escrow Instructions, and upon satisfaction of the conditions related to final street vacation as conditions to Developer's Vesting Tentative Tract Map, the City shall cause Resolution No. 7471 to be recorded in the Official Records of the County of Los Angeles.

SECTION 4. The City Clerk shall certify the adoption of this Resolution, which shall be effective upon its adoption.

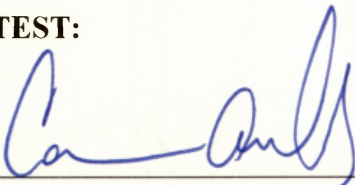
PASSED, APPROVED and ADOPTED this 29th day of May, 2012.

CITY OF SOUTH GATE:



Gil Hurtado, Vice Mayor

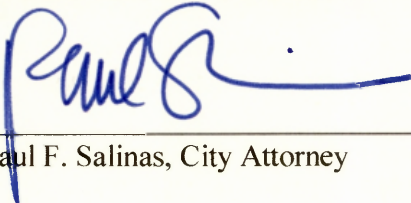
ATTEST:



Carmen Avalos, City Clerk

(SEAL)

APPROVED AS TO FORM:



Raul F. Salinas, City Attorney

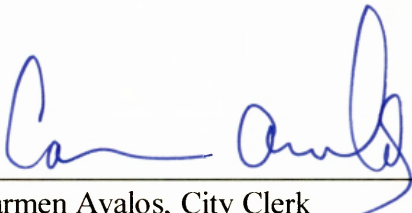
RESOLUTION CERTIFICATION PAGE

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) SS
CITY OF SOUTH GATE)

I, Carmen Avalos, City Clerk of the City of South Gate, California, hereby certify that the whole number of Members of the City Council of said City is five; that Resolution No. 7496 was adopted by the City Council at their Special Meeting held on May 29, 2012, by the following vote:

Ayes: Council Members: Hurtado, Morales and Davila
Noes: Council Members: Gonzalez
Absent: Council Members: De Witt
Abstain: Council Members: None

Witness my hand and the seal of said City on May 31, 2012.



Carmen Avalos, City Clerk
City of South Gate, California