

RESOLUTION NO. \_\_\_\_\_

**RESOLUTION OF THE CITY OF RIALTO SUCCESSOR AGENCY  
TERMINATING AN OWNER PARTICIPATION AGREEMENT BY  
AND BETWEEN THE REDEVELOPMENT AGENCY OF THE CITY OF  
RIALTO AND T.S. OPUS, LLC**

**WHEREAS**, the Rialto City Council is the Successor Agency Board to the Redevelopment Agency of the City of Rialto, pursuant to the redevelopment agency dissolution law; and

**WHEREAS**, on September 6, 2005 the Redevelopment Agency of the City of Rialto entered into an Owner Participation Agreement (“OPA”) for purposes of redeveloping approximately 6.98 acres of real property located at the southwest corner of Alder Avenue and Walnut Avenue in the City of Rialto (“Site”); and

**WHEREAS**, the OPA contained an option to purchase Lots 3 and 4 of Tract Map 16441 (“Phase Two Property”), which has expired; and

**WHEREAS**, the City of Rialto, as Successor Agency to the Redevelopment Agency of the City of Rialto, sold the Phase Two Property and subsequently approved a Tentative Parcel Map and Conditional Development Permit for consolidation of land and development of a 188,712 square foot industrial warehouse; and

**WHEREAS**, the current owner of the Site, CH Realty VII/I Rialto Alder North LP, has requested termination of the OPA to clear the title of any conflicts; and

**WHEREAS**, the OPA is no longer needed by the City, Successor Agency, or former Redevelopment Agency of the City of Rialto.

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of the City of Rialto, California, as follows:

**Section 1. Recitals.** That the recitals set forth hereinabove are true and correct in all respects, and are incorporated herein.

**Section 2. OPA Termination.** The OPA is hereby terminated. Rialto Successor Agency and City staff are hereby directed to undertake such actions as may be necessary to effectuate such termination and remove the OPA from title, including, but not limited to, generating and executing any such documents as be necessary to clear title to the property.

**Section 3. Oversight Board Approval.** This resolution and the actions contemplated herein are not subject to Oversight Board approval as they do not create any financial liability and they do not otherwise meet the oversight requirements of Health and Safety Code Section 34180.

**Section 4. Certification.** The Secretary of the Successor Agency shall certify to the adoption of this resolution.

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**PASSED APPROVED AND ADOPTED** this 26<sup>th</sup> day of January 2021.

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DEBORAH ROBERTSON, Mayor

**ATTEST:**

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BARBARA A. McGEE, City Clerk

**APPROVED AS TO FORM:**

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ERIC S. VAIL, Interim City Attorney

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**STATE OF CALIFORNIA** )  
**COUNTY OF SAN BERNARDINO** ) ss  
**CITY OF RIALTO** )

I, Barbara McGee, City Clerk of the City of Rialto, do hereby certify that the foregoing Resolution No. \_\_\_\_ was duly passed and adopted at a regular meeting of the City Council of the City of Rialto held on the \_\_\_\_ day of January 2021.

Upon motion of Council Member \_\_\_, seconded by Council Member \_\_\_, the foregoing Resolution No. \_\_\_\_ was duly passed and adopted.

Vote on the motion:

AYES:

NOES:

ABSENT:

IN WITNESS WHEREOF, I have hereunto set my hand and the Official Seal of the City of Rialto this \_\_\_\_ day of January, 2021.

\_\_\_\_\_  
BARBARA A. McGEE, CITY CLERK