RESOLUTION NO. 89-2001
Adopted May 22, 2001

AUTHORIZING THE THIRD AMENDMENT TO THE AGREEMENT FOR DISPOSITION OF LAND FOR PRIVATE DEVELOPMENT WITH L-O SOMA HOLDING, INC., A DELAWARE CORPORATION, DBA THE ARGENT HOTEL, PERTAINING TO ADDITIONAL DEVELOPMENT OF THE ARGENT HOTEL'S FACILITIES ON PARCELS 3706-H, 3706-H(1), 3706-H(2A) AND 3706-H(2B), LOCATED AT THE SOUTHWEST CORNER OF THIRD AND STEVENSON STREETS AND PROVIDING FOR THE GRANT OF EASEMENTS NECESSARY FOR CONSTRUCTION AND OPERATION OF AN UNDERGROUND PARKING GARAGE BENEATH JESSIE SQUARE; YERBA BUENA CENTER REDEVELOPMENT PROJECT AREA


2. On September 29, 1988 the Site was purchased by ANA Hotels San Francisco, Inc. ("ANA"), which entered into a Second Amendment to the LDA on August 31, 1993. Subject to the terms and conditions of the Second Amendment to the LDA, ANA purchased additional parcels of land from the Agency which adjoin the southerly boundary of the Site as Parcel 3706-H(2A) and Parcel 3706-H(2B) (collectively the "Parcels"). L-O SOMA Holding, Inc., a Delaware corporation, dba the Argent Hotel, is currently the owner of record of the Site and the Parcels ("Owner") as the successor-in-interest to ANA.

3. The Agency has studied the need for and the potential to provide additional parking in the Project Area to facilitate reliable, convenient and safe access for the public and the users of improvements in the Project Area and, specifically, on Central Block 1 ("CB-1") and has determined that the construction of an underground parking facility, including, without limitation, all ramps and other appurtenant features in and adjacent to the subsurface area below the Jessie Square Parcel ("Parking Garage") would address a portion of the parking and loading needs of the public and the visitors to, and operators of, the cultural institutions, commercial developments, and other improvements which have been, or are to be, constructed on CB-1 adjacent to the Site. The Parking Garage will be constructed and operated by Jessie Square Garage Partners LLC, a Delaware limited liability company, an affiliate of CB-1 Entertainment Partners LP ("Garage Developer").
4. In order to provide vehicular access to the Parking Garage as well as facilitate the construction, use and operation of the Parking Garage, the Third Amendment to the LDA provides for a grant to the Agency and the Garage Developer of easements for the development, access and operation of the Parking Garage. As consideration for the grant of such easements, Garage Developer has agreed (i) to construct various improvements on the Site for the benefit of Owner d/b/a the Argent Hotel, collectively, the “Garage Developer Work”) and (ii) to contribute $2,000,000 (the “Garage Developer Construction”) to the Owner of the Site as provided in the Third Amendment to the LDA.

RESOLUTION

ACCORDINGLY, IT IS RESOLVED by the Redevelopment Agency of the City and County of San Francisco that the Executive Director is authorized to execute the Third Amendment to the Agreement for Disposition of Land for Private Development with L-O SOMA Holding, Inc., a Delaware corporation, substantially in the form lodged with the Agency General Counsel, and to execute any and all other ancillary documents and conveyance instruments necessary to effectuate the proposed development.

APPROVED AS TO FORM:

[Signature]
Bertha Ontiveros
Agency General Counsel