

**RESOLUTION NO. 168-2002**

**Adopted September 24, 2002**

**AUTHORIZING A FIRST AMENDMENT TO THE COMMERCIAL LOAN AGREEMENT WITH TENANTS AND OWNERS DEVELOPMENT CORPORATION, A CALIFORNIA NONPROFIT PUBLIC BENEFIT CORPORATION, TO REDUCE THE LOAN AMOUNT BY \$393,000 TO AN ADJUSTED AMOUNT NOT TO EXCEED \$986,000, FOR THE RETAIL/INSTITUTIONAL COMPONENT OF THE MIXED-USE LOW INCOME SENIOR HOUSING DEVELOPMENT, 827 HOWARD STREET; YERBA BUENA CENTER REDEVELOPMENT PROJECT AREA**

**BASIS FOR RESOLUTION**

1. The Redevelopment of the City and County of San Francisco ("Agency") and Tenants and Owners Development Corporation, a California nonprofit public benefit corporation, ("Owner") entered into a Owner Participation Agreement, dated December 11, 2002 (the "Original Agreement"), under which the Owner proposes and agrees to construct a mixed-used project consisting of approximately 85 very low income rental housing units for the elderly, 9,582 square feet of retail/institutional space (the "Commercial Component") and up to 22 parking spaces in a below grade parking structure (the "Project") in the applicable air rights parcels at 827 Howard Street in the Yerba Buena Center Redevelopment Project Area.

2. The Original Agreement was amended by a First Amendatory Agreement, dated March 26, 2002 (the "First Amendment") (together with the Original Agreement, the "Agreement") to revise the allocation of approximately \$2,000,000 of Agency funds between the Commercial Component and a proposed re-landscape of the area adjacent to the Project and the Housing Authority of the City and County of San Francisco's Clementina Towers (the "Campus Improvements"), which re-landscaping the Owner has agreed to make.

3. On March 26, 2002, the Agency approved, among other things, a Commercial Loan Agreement with the Owner for approximately \$1,379,000 for the partial capital funding of the proposed Commercial Component of the Project (the "Commercial Loan") for certain terms and conditions.

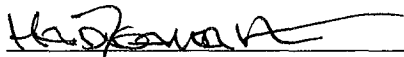
4. The Owner now wishes to reduce the Commercial Loan amount by \$393,000 from \$1,379,000 to \$986,000 because it has succeeded in raising additional funds from non-Agency sources to capitalize the Commercial Component of the Project.

4. The Agency and the Owner desire to enter into the proposed First Amendment to the Commercial Loan Agreement to reduce the Commercial Loan amount as requested by the Owner and make other necessary but minor changes to the Commercial Loan Agreement.

## RESOLUTION

**ACCORDINGLY, IT IS RESOLVED** by the Redevelopment Agency of the City and County of San Francisco that the Executive Director is authorized to enter into and execute a First Amendment to the Commercial Loan Agreement with Tenants and Owners Development Corporation, a California nonprofit public benefit corporation, to reduce the loan amount by \$393,000 to an adjusted amount not to exceed \$980,000 for the retail/institutional component of the mixed-use low income senior housing development at 827 Howard Street in the Yerba Buena Center Redevelopment Project Area, substantially in the form lodged with Agency General Counsel.

**APPROVED AS TO FORM:**



*as*  
Bertha A. Ontiveros  
Agency General Counsel