

SACRA RESOLUTION NO. 13-06-04-01

A RESOLUTION OF THE SUCCESSOR AGENCY OF THE SAN JUAN  
CAPISTRANO COMMUNITY REDEVELOPMENT AGENCY  
AUTHORIZING THE TRANSFER OF VARIOUS HOUSING ASSET  
PROPERTIES TO THE HOUSING AUTHORITY

**WHEREAS**, the Successor Agency of the San Juan Capistrano Community Redevelopment Agency ("Successor Agency") included certain properties identified in Exhibit A on the List of Property approved by Resolution No. 12-05-15-01, and designated those properties as housing asset properties. Exhibit A is attached hereto and incorporated herein by reference; and,

**WHEREAS**, the Oversight Board for the Successor Agency, by Resolution No. 12-05-16-01, approved the designation of the properties identified in Exhibit A as affordable housing properties and directed the Successor Agency to transfer the properties to the San Juan Capistrano Housing Authority ("Housing Authority"); and,

**WHEREAS**, the Successor Agency of the San Juan Capistrano Community Redevelopment Agency ("Successor Agency") included certain properties identified in Exhibit A on the Housing Asset Transfer Form, and designated those properties as housing asset properties; and,

**WHEREAS**, the Oversight Board of the Successor Agency, by Resolution No. 12-09-19-01, confirmed the designation of the properties identified in Exhibit A as housing asset properties and directed the Successor Agency to transfer the properties to the San Juan Capistrano Housing Authority ("Housing Authority"); and,

**WHEREAS**, the Department of Finance has approved the transfer of the properties, identified in Exhibit A, to the Housing Authority; and,

**WHEREAS**, this Resolution has been reviewed with respect to applicability of the California Environmental Quality Act ("CEQA"), the State CEQA Guidelines (California Code of Regulations, Title 14, Sections 15000 *et seq.*, hereafter the "Guidelines"), and the City of San Juan Capistrano's environmental guidelines; and,

**WHEREAS**, per Section 15301 of the State CEQA Guidelines, the transfer of real property is exempt from environmental review under CEQA because the transfer will result in a continuation of an existing facility involving no expansion of use and is therefore exempt from environmental review, and any future development of the real property will require separate environmental review; and,

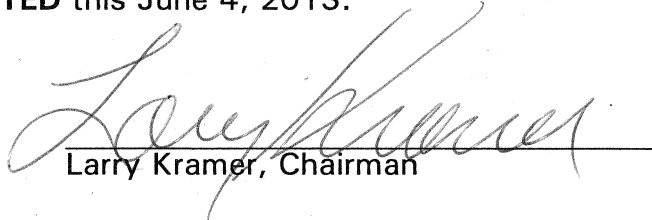
**NOW, THEREFORE, BE IT RESOLVED**, that the Successor Agency of the San Juan Capistrano Community Redevelopment Agency does hereby approve the quitclaim of the San Juan Capistrano Community Redevelopment Agency's property rights, title or interest to the properties identified in Exhibit A to the San Juan Capistrano Housing Authority.

**Section 1.** The foregoing recitals are true and correct and are a substantive part of this Resolution.

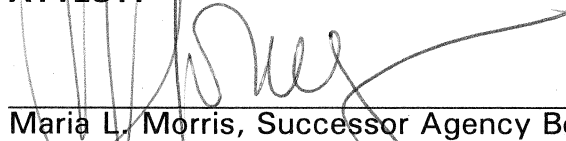
**Section 2.** The Successor Agency hereby directs the Successor Agency Secretary to process the required documentation, including quitclaim deeds, transferring the ownership of the housing assets identified in **Exhibit A** to the Housing Authority for recording with the Orange County Recorder's Office.

**Section 3.** The Successor Agency's designee, is hereby authorized and directed to take such actions and execute such documents as are necessary to effectuate the intent of this Resolution on behalf of the Successor Agency.

**PASSED, APPROVED, AND ADOPTED** this June 4, 2013.

  
Larry Kramer, Chairman

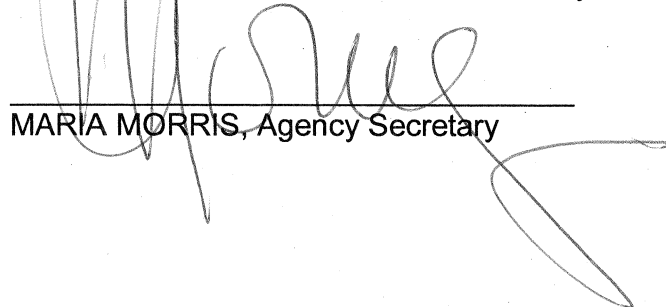
**ATTEST:**

  
\_\_\_\_\_  
Maria L. Morris, Successor Agency Board Secretary

STATE OF CALIFORNIA                    )  
COUNTY OF ORANGE                    ) ss.  
CITY OF SAN JUAN CAPISTRANO        )

I, MARIA MORRIS, appointed Agency Secretary of the Board of Directors of the Successor Agency to the San Juan Capistrano Community Redevelopment Agency, do hereby certify that the foregoing **Resolution No. SACRA 13-06-04-01** was duly adopted by the City Council of the City of San Juan Capistrano at a Regular meeting thereof, held the 4<sup>th</sup> day of June 2013, by the following vote:

AYES:                    BOARD MEMBERS: Allevato, Byrnes, Reeve and Chair Kramer  
NOES:                   BOARD MEMBERS: None  
ABSENT:                BOARD MEMBERS: None  
ABSTAINED:           BOARD MEMBERS: Taylor

  
\_\_\_\_\_  
MARIA MORRIS, Agency Secretary

**Exhibit "A"**

The following are the APNs for the two Housing Assets:

1	APNs 121-142-01 and 121-142-17
2	APNs 649-281-04 and 649-281-05

RECORDING REQUESTED BY AND  
WHEN RECORDED RETURN TO:  
San Juan Capistrano Housing Authority  
32400 Paseo Adelanto  
San Juan Capistrano, CA 92675  
Attn: Executive Director

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[Space Above for Recorder's Use]  
[Exempt from Recordation Fee per Gov. Code § 27383]  
[Exempt from Documentary Transfer Tax per Rev. & Tax. Code § 11922]

### QUITCLAIM DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, the SUCCESSOR AGENCY TO THE SAN JUAN CAPISTRANO COMMUNITY REDEVELOPMENT AGENCY, a public body, corporate and politic, duly established and existing pursuant to Health and Safety Code section 34173 ("Grantor"), does hereby remise, release and forever quitclaim to:

SAN JUAN CAPISTRANO HOUSING AUTHORITY, a public body, corporate and politic ("Grantee")

all of Grantor's right, title, and interest in that certain real property and all improvements thereon located in the City of San Juan Capistrano, County of Orange, State of California, as more particularly described in Exhibit "A" attached hereto and incorporated herein by this reference (the "Property"). At the time of recording, the Property has APNs 121-142-01 and 121-142-17.

Grantee acknowledges and agrees that the Property is granted by the Grantor to the Grantee in its "AS IS," "WHERE IS" and "SUBJECT TO ALL FAULTS CONDITION," as of the date of recordation of this Quitclaim Deed, with no warranties, expressed or implied, as to the environmental or other physical condition of the Property, the presence or absence of any patent or latent environmental or other physical condition on or in the Property, or other matters affecting the Property.

"Grantor"

SUCCESSOR AGENCY TO THE SAN JUAN  
CAPISTRANO COMMUNITY  
REDEVELOPMENT AGENCY, a public body,  
corporate and politic

By: \_\_\_\_\_  
Larry Kramer  
Its: Chairman

State of California )  
County of Orange )

On \_\_\_\_\_, before me, \_\_\_\_\_, Notary Public,  
(here insert name and title of the officer)

personally appeared \_\_\_\_\_,  
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are  
subscribed to the within instrument, and acknowledged to me that he/she/they executed the same  
in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the  
person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the  
foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature \_\_\_\_\_

(seal)

**EXHIBIT "A" TO QUITCLAIM DEED**

**LEGAL DESCRIPTION OF PROPERTY**

ALL THAT CERTAIN REAL PROPERTY AND IMPROVEMENTS THEREON IN THE STATE OF CALIFORNIA, COUNTY OF ORANGE, CITY OF SAN JUAN CAPISTRANO, DESCRIBED AS FOLLOWS:

(APN 121-142-01)

**PARCEL 2:**

Lot 3 in Block 1, of the Townsite of San Juan Capistrano, in the City of San Juan Capistrano, County of Orange, State of California, per map recorded in book 3, pages 120 to 125 inclusive of Miscellaneous Records of Los Angeles County, California.

Excepting therefrom that portion of said land included within the land described as Parcel L2-110 in the final order of condemnation by Orange County Flood Control District, a certified copy of which was recorded April 1, 1963 in book 6490, page 314 of Official Records, which lies Westerly of a line which is parallel and concentric with and Easterly 85 feet from a line that begins at a point on the centerline of Del Obispo Street as described in the deed to the County of Orange, recorded December 9, 1943, in book 1224, page 177 of Official Records, in the office of the County Recorder of said Orange County, distant thereon N. 82° 34' 32" E. 239.22 feet from the intersection of said centerline with the centerline of Alipaz Street; thence N. r 25' 28" W., 442.52 feet to the beginning of a tangent curve, concave Westerly and having a radius of 1500.00 feet; thence Northerly 510.00 feet along said curve through a central angle of 19° 28' 50"; thence tangent to said curve N. 26° 54' 18" W., 1951.84 feet to a point on the North line of Parcel "0" as shown on the map of San Juan Capistrano and Vicinity, filed in book 2, pages 31 to 38 inclusive of Record of Surveys in the office of said County Recorder, distant thereon N. 74° 44' 58" E. 951.57 feet from a capped iron pipe marked "J.F.D." at the Westerly terminus of that certain course cited as "S. 73° 59' W., 1076. 6" on said map of San Juan Capistrano and vicinity.

(APN 121-142-17)

**PARCEL 3:** Lot 4 in Block 1 of the Townsite of San Juan Capistrano, in the City of San Juan Capistrano, County of Orange, State of California, as shown on a map recorded in Book 3, pages 120 to 123 inclusive of Miscellaneous Records of Los Angeles County, California, together with that portion of Water & Tract abandoned by Resolution No. 654 of the Board of Supervisors of Orange County, recorded on November 16, 1920, in book 15, page 307 of Miscellaneous Records of said Orange County.

Excepting therefrom that portion of said land included within the land described as Parcel L2-109 in the Final Order of Condemnation by Orange County Flood

Control District, a certified copy of which was recorded April 1, 1963, in book 6490, page 314 of Official Records, which lies Westerly of a line which is parallel and concentric with and Easterly 85 feet from a line that begins at a point on the centerline of Del Obispo Street as described in the deed to the County of Orange recorded December 9, 1943, in book 1224, page 177 of Official Records, in the office of the County Recorder of said Orange County, distant thereon N. 82° 34' 32" E., 239.22 feet from the intersection of said centerline with the centerline of Alipes Street; thence N. 7° 23' 23" W., 422.52 feet to the beginning of a tangent curve concave Westerly and having a radius of 1500.00 feet; thence Northerly 510.00 feet along said curve through a central angle of 19° 28' 50"; thence tangent to said curve N. 26° 54' 18" W., 1951.84 feet to a point on the North line of Parcel "0" as shown on the map of San Juan Capistrano and vicinity filed in book 2, pages 31 to 32 inclusive of Record of Surveys in the office of said County Recorder, distant thereon N. 74° 44' 58" E., 931.57 feet from a capped iron pipe marked "J.F.D." at the Westerly tangious of that certain course sited as "S. 73° 39' W., 1076.6" on said map of San Juan Capistrano and vicinity.

**CERTIFICATE OF ACCEPTANCE OF INTEREST IN REAL PROPERTY**  
**BY THE SAN JUAN CAPISTRANO HOUSING AUTHORITY**  
**(GOVERNMENT CODE SECTION 27281)**

THIS IS TO CERTIFY that the interest in real property and other interests conveyed by the instrument dated \_\_\_\_\_, 2013, from the Successor Agency to the San Juan Capistrano Community Redevelopment Agency, a public body, corporate and politic, duly established and existing pursuant to Health and Safety Code section 34173 ("Grantor") to the San Juan Capistrano Housing Authority, a public body, corporate and politic ("Grantee"), is hereby accepted by the Grantee's Executive Director pursuant to the authority to accept interests in real property on behalf of the Grantee conferred by Resolution No. \_\_\_\_\_ adopted \_\_\_\_\_, \_\_\_\_\_. The Grantee further consents to its recordation.

Dated: \_\_\_\_\_

SAN JUAN CAPISTRANO HOUSING  
AUTHORITY, a public body, corporate and  
politic

\_\_\_\_\_  
By: Roy L. Byrnes, M.D.  
Its: Chairperson

State of California            )  
County of Orange            )

On \_\_\_\_\_, before me, \_\_\_\_\_, Notary Public,  
(here insert name and title of the officer)

personally appeared \_\_\_\_\_,  
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are  
subscribed to the within instrument, and acknowledged to me that he/she/they executed the same  
in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the  
person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the  
foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature \_\_\_\_\_

(seal)

RECORDING REQUESTED BY AND  
WHEN RECORDED RETURN TO:  
San Juan Capistrano Housing Authority  
32400 Paseo Adelanto  
San Juan Capistrano, CA 92675  
Attn: Executive Director

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### QUITCLAIM DEED

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SAN JUAN CAPISTRANO HOUSING AUTHORITY, a public body, corporate and politic ("Grantee")

all of Grantor's right, title, and interest in that certain real property and all improvements thereon located in the City of San Juan Capistrano, County of Orange, State of California, as more particularly described in Exhibit "A" attached hereto and incorporated herein by this reference (the "Property"). At the time of recording, the Property has APN 649-281-04 and APN 649-281-05.

Grantee acknowledges and agrees that the Property is granted by the Grantor to the Grantee in its "AS IS," "WHERE IS" and "SUBJECT TO ALL FAULTS CONDITION," as of the date of recordation of this Quitclaim Deed, with no warranties, expressed or implied, as to the environmental or other physical condition of the Property, the presence or absence of any patent or latent environmental or other physical condition on or in the Property, or other matters affecting the Property.

"Grantor"

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REDEVELOPMENT AGENCY, a public body,  
corporate and politic

By: \_\_\_\_\_  
Larry Kramer  
Its: Chairman

State of California )  
County of Orange )

On \_\_\_\_\_, before me, \_\_\_\_\_, Notary Public,  
(here insert name and title of the officer)

personally appeared \_\_\_\_\_,  
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are  
subscribed to the within instrument, and acknowledged to me that he/she/they executed the same  
in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the  
person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the  
foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature \_\_\_\_\_

(seal)

## EXHIBIT "A" TO QUITCLAIM DEED

### LEGAL DESCRIPTION OF PROPERTY

ALL THAT CERTAIN REAL PROPERTY AND IMPROVEMENTS THEREON IN THE STATE OF CALIFORNIA, COUNTY OF ORANGE, CITY OF SAN JUAN CAPISTRANO, DESCRIBED AS FOLLOWS:

That certain piece or parcel of land, being a portion of Lot 2 in Block 1 of San Juan Capistrano Townsite, in the City of San Juan Capistrano, as recorded in Miscellaneous Records Book 3, page 120, records of Los Angeles County, California, more particularly described as follows:

Commencing at an iron pipe marking the Southeast corner of above mentioned Lot 2, Block 1, and running thence North 89° 29' West 562.70 feet along the South line of above mentioned Lot 2, Block 1 to an iron pipe in said South line distant 85.00 feet from the Southwest corner of said Lot 2; thence North 19° 42' East 171.60 feet to a poplar tree; thence North 8° 22' West 171.60 feet to a pipe; thence North 66° 10' East 49.50 feet to a pipe; thence South 14° 40' East 248.35 feet to a pipe at an old fence corner; thence along said fence North 86° 28' East 174.81 feet; thence South 87° 41' East 173.95 feet; thence South 9° 48' East 67.71 feet; thence on a line parallel to the South line of said Lot 2, South 89° 29' East 52.77 feet to a point in the East line of said Lot 2; thence South 9° 48' East 53.46 feet along said East line of Lot 2 to the place of beginning.

Excepting therefrom the following: Beginning at the Northwesterly corner of Lot 5 in Block 1 of San Juan Capistrano, as shown on a map recorded in book 3, page 120, et seq., of Miscellaneous Records of Los Angeles County, California, said corner being the Southeasterly corner of Lot 87 as shown on a Licenses Surveyors' map filed in book 2, page 34, Record of Surveys in the office of the County Recorder of Orange County; thence North 9° 48' West 53.46 feet to the Southeasterly corner of Lot 88 as shown on said Records of Surveys; thence North 89° 29' West along the South line of said Lot 88, 10.16 feet to the true point of beginning of the land herein described; thence continuing North 89° 29' West along the South line of said Lot 88 and said line extended Westerly, 60 feet; thence South 9° 48' East 40.66 feet; thence South 89° 29' East 60 feet; thence North 9° 48' West 40.66 feet to the true point of beginning.

Also excepting therefrom the following:

The Northerly 100 feet of that certain parcel of land described in deed to Fidel Sepulveda and L.A. Sepulveda, his wife, recorded in book 360, page 173, of Deeds, records of Orange County, and being more particularly described as follows:

Beginning at the most Northerly corner of property described in the above mentioned deed and running thence from said point of beginning South 14° 40' East along the Easterly line of said property, 100 feet, thence South 66° 10' West

60.89 feet to a point in the Westerly line of said property; thence North 8° 22'  
West 102.43 feet to the Northwest corner of said property; thence North 66° 10'  
East 49.50 feet to the point of beginning.

**CERTIFICATE OF ACCEPTANCE OF INTEREST IN REAL PROPERTY**  
**BY THE SAN JUAN CAPISTRANO HOUSING AUTHORITY**  
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Dated: \_\_\_\_\_

SAN JUAN CAPISTRANO HOUSING  
AUTHORITY, a public body, corporate and  
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\_\_\_\_\_  
By: Roy L. Byrnes, M.D.  
Its: Chairperson

State of California            )  
County of Orange            )

On \_\_\_\_\_, before me, \_\_\_\_\_, Notary Public,  
(here insert name and title of the officer)

personally appeared \_\_\_\_\_,  
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are  
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in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the  
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I certify under PENALTY OF PERJURY under the laws of the State of California that the  
foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature \_\_\_\_\_

(seal)