

ORDINANCE NO. 3382 C.S.

ORDINANCE AUTHORIZING AN AMENDMENT FOR EXTENSION OF  
THE GROUND LEASE FOR THE EL ESTERO SENIOR HOUSING APARTMENTS AT  
151 PARK AVENUE, BETWEEN CHISPITA, INC. AND THE CITY OF MONTEREY  
TO ALLOW REFINANCING OF THE HUD SECTION 202 LOAN ON THE PROJECT

THE CITY COUNCIL OF THE CITY OF MONTEREY DOES HEREBY ORDAIN AS  
FOLLOWS:

SECTION 1. That certain lease, by and between the City of Monterey and CHISPITA, Inc., as approved by Ordinance 2851 C.S. and amended by Ordinance 2932 C.S., is hereby further amended to provide, as follows:

- a. A seventeen (17) year ground lease extension to expire 2056 for the El Estero Senior Housing Apartments, to commence upon approval of the U. S. Department of Housing and Urban Development's Section 202 loan refinance.
- b. Chispita, Inc. will obtain a new thirty-five (35) year fixed rate mortgage at a substantially lower interest rate to allow for approximately \$100,000 in interior and exterior improvements and capital repairs.
- c. The extension of the ground lease is subject to the completion of the critical and non-critical repairs required by the U. S. Department of Housing and Urban Development within one (1) year of loan approval.

SECTION 2. The Mayor is hereby authorized and directed to execute the necessary documents to effect the transaction.

SECTION 3. All Ordinances and parts of Ordinances in conflict herewith are hereby repealed.

SECTION 4. This Ordinance shall be in full force and effect thirty (30) days after its final passage and adoption.

PASSED AND ADOPTED BY THE COUNCIL OF THE CITY OF MONTEREY this 5th day of December 2006, by the following vote:

|         |   |                 |   |
|---------|---|-----------------|---|
| AYES:   | 5 | COUNCILMEMBERS: | Della Sala, Downey, Haferman,<br>Selfridge, Sollecito |
| NOES:   | 0 | COUNCILMEMBERS: | none  |
| ABSENT: | 0 | COUNCILMEMBERS: | none  |

APPROVED:

ATTEST:

  
Mayor of Said City

  
City Clerk thereof

STATE OF CALIFORNIA )  
COUNTY OF MONTEREY )  
CITY OF MONTEREY )

I, Catherine A. Raynor, CITY CLERK OF THE CITY OF MONTEREY, AND EX-OFFICIO CLERK OF THE COUNCIL THEREOF, HEREBY CERTIFY THAT THE FOREGOING ORDINANCE WAS DULY PASSED TO PRINT IN THE OFFICIAL NEWSPAPER OF SAID CITY BY THE COUNCIL THEREOF ON THE 5th day of December 2006, BY THE FOLLOWING VOTE:

|         |   |                 |   |
|---------|---|-----------------|---|
| AYES:   | 5 | COUNCILMEMBERS: | Della Sala, Downey, Haferman, Selfridge,<br>Sollecito |
| NOES:   | 0 | COUNCILMEMBERS: | None  |
| ABSENT: | 0 | COUNCILMEMBERS: | None  |



Catherine A. Raynor

CITY CLERK OF SAID CITY

DATED: December 5, 2006

Publication Date: December 24, 2006