

**RESOLUTION NO. 97-58**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL PASO de ROBLES  
AMENDING RESOLUTION No. 96-26 VACATING A PORTION OF  
ELEVENTH STREET BETWEEN PINE STREET AND RAILROAD STREET AND A  
PORTION OF RAILROAD STREET IN THE CITY OF EL PASO de ROBLES**

WHEREAS, in association with Planned Development 96001, the City Council of the City of El Paso de Robles (the "City Council"), by Resolution No.96-26, passed and adopted on March 19, 1996, approved the vacation of those certain portions of Eleventh Street and Railroad Street more particularly described in Resolution No.96-26 (the "Street Vacation"), subject to certain conditions; and

WHEREAS, one of the conditions to which the Street Vacation was subject was John Roush being the property owner of the site approved for Planned Development 96001 (the "Property"); and

WHEREAS, development of the Property is subject to the terms and conditions of that certain Owner Participation Agreement (the "OPA") between the Redevelopment Agency of the City of Paso Robles (the "Agency") and John Roush dated November 30, 1995; and

WHEREAS, under the terms of the OPA, the OPA may be assigned to a partnership in which John Roush is the managing general partner; and

WHEREAS, John Roush has assigned the OPA to Central Coast Cinemas, a California general partnership, of which John Roush is the managing general partner; and

WHEREAS, the City wishes to amend Resolution No.96-26 to allow the Street Vacation to become effective upon a showing that the Property is owned by Central Coast Cinemas;

**NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:**

Section 1. The provision in Section 3.B. of Resolution No.96-26 that John Roush provide verification of his ownership of the Property is hereby deleted.

Section 2. The City Council of the City of El Paso de Robles does hereby approve street vacation 96001 subject to verification by Central Coast Cinemas that it is the owner of the Property.

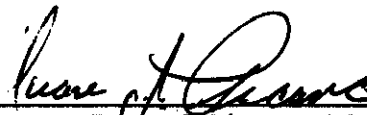
Section 3. Section 3.C. of Resolution No. 96-26 is amended to require Central Coast Cinemas to execute an agreement to rededicate to the City the portion of 11th Street that is to be abandoned pursuant to Resolution No. 96-26 if the OPA is terminated by Central Coast Cinemas or by the Agency.

Section 4. Except as modified and amended by this Resolution, all other provisions of Resolution No 96-26 shall remain unchanged and in full force and effect.

Section 5. The City Clerk of the City of El Paso de Robles shall cause a certified copy of this Resolution to be recorded in the office of the County Recorder of the County of San Luis Obispo, State of California, upon the satisfaction of the condition specified in Section 2 hereof.

PASSED AND ADOPTED by the City Council of the City of Paso Robles this 15th day of April, 1997, on the following vote:

AYES:	Baron, Iversen, Macklin, Swanson, and Picanco
NOES:	None
ABSENT:	None
ABSTAIN:	None

  
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Duane J. Picanco, Mayor

ATTEST:

  
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Madelyn Paasch, City Clerk