

**MOORPARK CITY COUNCIL ACTING AS  
SUCCESSOR HOUSING AGENCY OF THE  
REDEVELOPMENT AGENCY OF THE CITY OF MOORPARK  
AGENDA REPORT**

**TO:** Honorable City Council

**FROM:** David C. Moe II, Redevelopment Manager   
**BY:** Jessica Sandifer, Management Analyst 

**DATE:** October 29, 2012 (Successor Housing Agency Meeting of 11/07/2012)

**SUBJECT:** Consider Authorization for Recordation of the Certificate of Completion for the Charles Street Terrace Project

**BACKGROUND & DISCUSSION**

On October 29, 2010, the Redevelopment Agency of the City of Moorpark ("RDA") entered into a Disposition and Development Agreement ("DDA") with the Area Housing Authority of the County of Ventura and Moorpark 20, LP for the Charles Street Terrace Affordable Housing Project. The document was subsequently recorded on November 4, 2010. Due to the passage of ABX126, and the dissolution of the RDA, the DDA is now an obligation of the Successor Housing Agency of the Redevelopment Agency of the City of Moorpark ("Successor Housing Agency").

Section 6.12 of the DDA states "Provided construction of all of the Improvements have been completed, Agency shall, upon the request of the Developer, furnish to the Developer a Certificate of Completion...which shall conclusively establish that the Agency has determined that construction of the improvements required by this Agreement has been satisfactorily completed in compliance with the terms of this Agreement.."

The Developer has requested the Certificate of Completion. Staff has determined that the Improvements as required by the DDA have been satisfactorily completed in compliance with the terms of the DDA and it is now appropriate for the Successor Housing Agency to authorize recordation of the Certificate of Completion.

The Certificate of Completion has been revised to show the Successor Housing Agency as the responsible party to the DDA.

Honorable City Council  
November 7, 2012  
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**FISCAL IMPACT**

None.

**STAFF RECOMMENDATION**

Authorize the City Clerk to file the Certificate of Completion.

Attachment 1: Letter from Developer  
Attachment 2: Certificate of Completion

Area Housing Authority  of the County of Ventura  
1400 W. Hillcrest Drive, Newbury Park, CA 91320-2721 • (805) 480-9991 • FAX (805) 480-1021

October 17, 2012

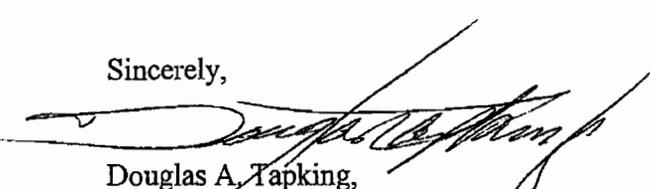
David Moe  
City of Moorpark  
799 Moorpark Ave.  
Moorpark, CA 93021

RE: Request for Certificate of Completion Charles Street Terrace

David,

The Area Housing Authority of the County of Ventura (AHA) as the project developer for the 20-unit Charles Street Terrace Apartments completed all construction improvements and received a Certificate of Occupancy on March 9, 2012. Pursuant to Section 6.12 of the Disposition and Development Agreement (DDA), the AHA requests that the Successor Agency to the Redevelopment Agency of the City of Moorpark (Agency) furnish a Certificate of Completion that shall conclusively establish that the Agency has determined that construction of the improvements required by the DDA have been satisfactorily completed.

Sincerely,

  
Douglas A. Tapking,  
Executive Director  
Area Housing Authority of the County of Ventura



## ATTACHMENT 2

### OFFICIAL BUSINESS

Document entitled to free  
Recording per Government  
Code Sections 6103 and 27383

Recording Requested by,  
Mail Tax Statements to,  
and When Recorded Mail to:

Moorpark 20, LP  
1400 W. Hillcrest Drive  
Newbury Park ,CA 91320

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SPACE ABOVE THIS LINE  
FOR RECORDER'S USE

### CERTIFICATE OF COMPLETION

THIS CERTIFICATE OF COMPLETION (the "Certificate") is made as of July 18, 2012 by the SUCCESSOR HOUSING AGENCY of the REDEVELOPMENT AGENCY of the CITY OF MOORPARK, a public body corporate and politic (the "Successor Housing Agency"), in favor of AREA HOUSING AUTHORITY OF THE COUNTY OF VENTURA, ("AHA"), a public body corporate and politic and duly organized by the law and existing under the laws of the State of California, and MOORPARK 20, LP, a California Limited Partnership (the "Developer") as of the date set forth below.

### RECITALS

A. The Successor Housing Agency and the Developer have entered into that certain Disposition and Development Agreement (the "DDA") dated October 29, 2010, concerning the redevelopment of certain real property situated in the City of Moorpark, California as more fully described in Exhibit "A" attached hereto and made a part hereof.

B. As referenced in Section 6.12 of the DDA, the Successor Housing Agency is required to furnish the Developer or its successors with a Certificate upon completion of construction of the Improvements, which Certificate is required to be in such form as to permit it to be recorded in the Recorder's office of Ventura County. This Certificate is conclusive determination of satisfactory completion of the construction and development required by the DDA.

C. The Successor Housing Agency has conclusively determined that such construction and development has been satisfactorily completed.

NOW, THEREFORE, the Successor Housing Agency hereby certifies as follows:

1. The Improvements to be constructed by the Developer have been fully and satisfactorily completed in conformance with the DDA. Any operating requirements and all use, maintenance or nondiscrimination covenants contained in the DDA shall remain in effect and enforceable according to their terms.

2. Nothing contained in this instrument shall modify in any other way any other provisions of the DDA.

3. This Certificate is not a notice of completion as referred to in Section 3093 of the California Civil Code.

4. This Certificate shall inure to the benefit of Developer, its successors and assigns.

IN WITNESS WHEREOF, the Successor Housing Agency has executed this Release as of the date set forth above.

**SUCCESSOR HOUSING AGENCY OF THE  
REDEVELOPMENT AGENCY of the CITY OF  
MOORPARK**

a public body, corporate and politic

By: \_\_\_\_\_

Steven Kueny, City Manager

ATTEST:

By: \_\_\_\_\_

Maureen Benson, City Clerk

**EXHIBIT "A"**

**SITE LEGAL DESCRIPTION**

**THE LAND REFERRED TO IS SITUATED IN THE STATE OF CALIFORNIA, COUNTY OF VENTURA, AND IS DESCRIBED AS FOLLOWS:**

*Parcel A as shown on that certain Lot Line Adjustment NO. 2010-09 evidenced by document recorded September 9, 2010 as Instrument No. 20100909-00136192 of Official Records, being more particularly described in the document as follows:*

**Lots 1 and 2 of Moorpark Eastern Addition, in the City of Moorpark, County of Ventura, State of California, as per Map recorded in Book 5, at Page 18-1/2 of Maps, in the Office of the County Recorder of said County and Lots 16, 17 and 18 of Block "F" of M.L. Wicks Subdivision of part of Tract "U" and Addition to Moorpark, in the Rancho Simi, in the City of Moorpark, County of Ventura, State of California, as per map recorded in Book 5, at Page 37 of maps, in the office of the County Recorder of said County, together with that certain strip of land 1.6 feet wide by 155 feet in length lying adjoining and immediately West of said Lot 1 as described in the deed recorded July 08, 2010 as Instrument number 20100708-100118 of Official Records in the Office of the County Recorder of said County.**

**A.P.N.: 512-0-081-020, 512-0-081-030, 512-0-081-040**