

ORDINANCE NUMBER 1047

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AMENDING THE DEVELOPMENT AGREEMENT BY AND BETWEEN THE CITY OF PERRIS AND ASHBROOK DEVELOPMENT COMPANY (RELATIVE TO THE DEVELOPMENT KNOWN AS TENTATIVE TRACT NUMBER 22988)

The City Council of the City of Perris does ordain as follows:

Section 1. Findings.

The City Council hereby finds and determines that:

A. On November 30, 1987, Ordinance Number 706 was adopted by the City Council enacting the Ashbrook Development Company Development Agreement for the future development of 177 dwelling units located southerly of the corner of Orange Avenue and Murrieta Road to be developed by Ashbrook Development Company ("Developer"), a California limited liability company; and

B. On March 31, 1997, after publication, posting and mailing of notices thereof as required by law, the City Council of the City of Perris conducted a public hearing on a proposed Amendment to the Ashbrook Development Company Development Agreement and received testimony and information from any and all parties; and

C. The proposed Amendment to the Ashbrook Development Company Development Agreement contains matters required by California Government Code Section 65865.2 and the City's procedures and requirements for the consideration of development agreements; and

D. The approval of and the City's entering into the proposed Amendment to the Ashbrook Development Company Development Agreement will further the purposes set forth in state law by promoting orderly development of such property, strengthening the public planning process, encouraging private participation in a comprehensive planning and reducing the economic costs of development; and

E. The proposed Amendment to the Ashbrook Development Company Development Agreement is supported by adequate consideration from Ashbrook Development Company in that the Developer shall pay to the City a Development Agreement Fee and Developer shall receive credit for constructing certain public improvements against the newly enacted Infrastructure Fee.

Section 2. Approval. The Amendment of the Ashbrook Development Company Development Agreement, a copy of which is attached hereto as Exhibit "A," is hereby approved. The Mayor and the City Clerk are authorized to execute and deliver the Amendment to the Ashbrook Development Company Development Agreement on behalf of the City.

Section 3. Recording. Pursuant to California Government code Section 65858.5, the City Clerk shall record with the County Recorder of the County of Riverside a copy of the Amendment to the Ashbrook Development Company Development Agreement describing the land subject thereto within ten (10) days after the Agreement is executed on behalf of the City and Ashbrook Development Company.

Section 4. The Mayor shall sign and the City Clerk shall certify to the passage and adoption of this Ordinance and shall cause the same to be published and posted pursuant to the provisions of law in this regard, and this Ordinance shall take effect (30) days after its passage.

ADOPTED, SIGNED and APPROVED this 27th day of May, 1997.

MAYOR OF THE CITY OF PERRIS

Attest:

City Clerk

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss
CITY OF PERRIS)

I, Beti An Hynes, duly elected City Clerk of the City of Perris, California, do hereby certify that the foregoing Ordinance Number 1047 was introduced at a regular meeting thereof held on May 12, 1997, and adopted by the City Council of the City of Perris at a regular meeting thereof held on the 27th day of May, 1997, by the following called vote:

Ayes: Long, Yarbrough, Landers and Denney
Noes: None
Absent: None
Disqualified: Torres

CITY CLERK