



May 1, 2014

Mr. William Fulton, Director, Planning and Neighborhood Restoration Department  
City of San Diego  
1222 First Avenue, MS 501  
San Diego, CA 92101-4154

Dear Mr. Fulton:

Subject: Disposition and Development Agreement for 33<sup>rd</sup> & E Street

The City of San Diego Successor Agency (Agency) notified the California Department of Finance (Finance) of its concern on April 17, 2014, relating to the Disposition and Development Agreement (DDA) for 33<sup>rd</sup> & E Street. This is to affirm that the DDA filed on May 5, 2011 pertaining to Assessor's Parcel Number 542-062-0300 (Property) has been reviewed by Finance and has been deemed to be an enforceable obligation.

Based on our review and application of the law, the DDA, executed by the Agency, the City of San Diego, and Mark and Sharon Petrarca, is an enforceable obligation. This determination also includes the Agency's obligation for public improvements, as described in Section 214 of the DDA, and the conveyance of the Property from the Agency to the Developer, as described in Sections 201 and 206 of the DDA.

It is our understanding Chicago Title has requested the above confirmations from Finance in order to remove the AB 26 title exception from the title insurance policy.

Please direct inquiries to Wendy Griffe, Supervisor or Jenny DeAngelis, Lead Analyst at (916) 445-1546.

Sincerely,

JUSTYN HOWARD  
Assistant Program Budget Manager

cc: Mr. Andrew Phillips, CFO, COO & Interim President of Civic San Diego