

**RESOLUTION NO. 08-01**

**A RESOLUTION OF THE BOARD OF THE RICHMOND SURPLUS  
PROPERTY AUTHORITY APPROVING THE FORM OF AND AUTHORIZING THE  
EXECUTION OF A SITE LEASE**

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WHEREAS, the City Council of the City of Richmond (the "City"), the Richmond Joint Powers Financing Authority (the "Authority"), and the Richmond Surplus Property Authority (the "SPA") have agreed to enter into a leasing arrangement of certain real property located in the City (the "Demised Premises") and improvements thereon commonly known as the Point Potrero Facilities in order to raise funds for the construction of an automobile shipping and warehousing facility and certain rail facilities owned by the Burlington Northern Santa Fe Railroad necessary to serve such Facilities (the "Project"); and

WHEREAS, there has been filed with the Clerk of the City for consideration and approval by this Board a form of the Site Lease (the "Site Lease"), pursuant to which the SPA shall lease the Demised Premises to the Authority.

NOW, THEREFORE, BE IT RESOLVED by the Board of the Richmond Surplus Property Authority as follows:

Section 1. The foregoing recitals are true and correct, and the Board hereby so finds and determines.

Section 2. The form and substance of the Site Lease are hereby approved. The Mayor of the City of Richmond or designee thereof are hereby authorized and directed, for and in the name and on behalf of the SPA, to execute and deliver the Site Lease in substantially said form, with such changes therein as such officer may require or approve, such approval to be conclusively evidenced by the execution and delivery thereof.

Section 3. This resolution shall take effect from and after its passage and approval.

I certify that the foregoing resolution was passed and adopted by the Board of the Richmond Surplus Property Authority at a regular meeting thereof, held on December 16, 2008, by the following vote:

AYES: Members Bates, Butt, Lopez, Marquez, Sandhu, and Chairperson  
McLaughlin

NOES: None

ABSTENTIONS: None

ABSENT: Members Rogers and Viramontes.

DIANE HOLMES  
Clerk of the City of Richmond

[SEAL]

Approved:

GAYLE MCLAUGHLIN  
Mayor

Approved as to form:

RANDY RIDDLE  
City Attorney

State of California            }  
County of Contra Costa        } : ss.  
City of Richmond             }

I certify that the foregoing is a true copy of **Resolution No. 08-01**, finally passed and adopted by the Surplus Property Authority at a joint meeting with the City Council at a meeting held on December 16, 2008.