

## REPORT TO THE CITY COUNCIL AND SUCCESSOR AGENCY

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**DATE:** August 5, 2014

**TITLE:** Amended and Restated Agreement and Covenants, Conditions and Restrictions Affecting Real Property

**Prepared by:** Linda Kelly, Program & Financial Specialist

**Reviewed by:** Robert Lee, Deputy City Attorney

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### **RECOMMENDATION**

**Adopt a Resolution of the Successor Agency approving the Amended and Restated Agreement and Covenants, Conditions and Restrictions Affecting Real Property with Margaret Ann Block for Neighborhood Renewal Program, and authorize the City Manager, acting on behalf of the Successor Agency, to execute the same.**

### **BACKGROUND:**

Margaret Block, owner of property at 66146 6<sup>th</sup> Street and resident of the City of Desert Hot Springs, was granted a Neighborhood Renewal Program grant by the former Desert Hot Springs Redevelopment Agency ("Former RDA"). Ms. Block was approved for the grant funding to improve her residence for purposes which included the painting of the exterior of her house. Ms. Block and the Former RDA entered into an Agreement and Covenants, Conditions and Restrictions Affecting Real Property dated October 21, 2010 ("Covenant"), through which the Former RDA agreed to provide Ms. Block with the grant conditioned upon Ms. Block and her successors in interest satisfying certain obligations, which included making the home her primary residence for five (5) years and requiring maintenance of the home. A breach of this Covenant would result in repayment of the grant.

Recently, it was discovered that due to poor workmanship, the paint peeled off. On July 9, 2014, the Successor Agency Oversight Board approved a contract with Nicol Home Improvement for the repainting of the exterior of Ms. Block's home, for \$6,550.00, and the Successor Agency Board approved the same on June 17, 2014. The expenditure of this amount was approved by the California Department of Finance ("DOF") on the Successor Agency ROPS 2014-15 A as a line item for property maintenance, and evidence of both such approvals were forwarded to DOF.

Now, the Covenant needs to be modified to reflect the additional expenditure.

### **EXHIBIT:**

- 1) Amended and Restated Agreement and Covenants, Conditions and Restrictions Affecting Real Property
- 2) Resolution