

RESOLUTION NO. 2025-22

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HESPERIA, CALIFORNIA, APPROVING AN ASSIGNMENT AND ASSUMPTION AGREEMENT RELATED TO THE DENSITY BONUS AGREEMENT FOR THE THREE PALMS APARTMENTS AND AUTHORIZING THE CITY MANAGER TO EXECUTE ALL RELATED DOCUMENTS

WHEREAS, the City of Hesperia ("City") is a municipal corporation duly organized under the laws and Constitution of the State of California and

WHEREAS, on October 5, 1998, the City Council approved a Density Bonus and Incentive Agreement with Three Palms Apartments, LP and Opportunity Builders ("Agreement").

WHEREAS in exchange for a density bonus, the developer, as required by the Agreement, restricted 100% of the apartment units at the Three Palms Apartments, located at 9800 7th Avenue, to low-income senior households for a period of thirty (30) years; and

WHEREAS, Section 8 of the Agreement requires the written consent of the City Council prior to any assignment of rights and obligations under the Agreement; and

WHEREAS, Three Palms Apartments, LP seeks to assign all rights, duties, and obligations under the Agreement to Western Community Housing, Inc.; and

WHEREAS, Western Community Housing, Inc. has agreed to assume all terms and obligations of the original Agreement and to continue complying with all affordability and use restrictions.

WHEREAS, approval of the Assignment and Assumption Agreement will ensure that the existing affordability commitments remain in place and are honored by Western Community Housing, Inc.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HESPERIA AS FOLLOWS:

- Section 1. The City Council hereby approves the Assignment and Assumption Agreement attached hereto as Exhibit A.
- Section 2. The City Council authorizes the City Manager to execute the Assignment and Assumption Agreement and any related documents necessary to complete the assignment.
- Section 3. All terms of the original Density Bonus and Incentive Agreement shall remain in full force and effect, unless otherwise modified in writing and approved by the City Council.

ADOPTED AND APPROVED this 17th day of June, 2025.

Allison Lee, Mayor

ATTEST:

Jessica Giber, Assistant City Clerk