
RE: [External] RE: Sale/Lease of the property located at 3017 W. 5th Street, Santa Ana, CA 92703 per the Surplus Land Act

From : Robin Mark <Robin.Mark@tpl.org>

Thu, May 27, 2021 02:18 PM

Subject : RE: [External] RE: Sale/Lease of the property located at 3017 W. 5th Street, Santa Ana, CA 92703 per the Surplus Land Act

 2 attachments

To : Grace Lee <gracel@ggcity.org>

Cc : Alex Size <Alex.Size@tpl.org>, Tily Shue <tily.shue@tpl.org>, Greg Blodgett <greg1@ggcity.org>, Omar Sandoval <osandoval@wss-law.com>, Omar Sandoval <omars@ci.garden-grove.ca.us>, Lisa Kim <lisak@ci.garden-grove.ca.us>

Dear Grace,

Thank you for your email; however, I would like to correct an inaccurate statement included. In your email you state, *'The City has not received a response or term sheet from your team,'* yet this is not the case. The City did receive a response to your April 16 letter. TPL responded, in writing:

- (i) to clarify and get certainty on the commencement date of negotiations,
- (ii) to request for the City's appraisal for review in comparison to the appraisal we commissioned, and
- (iii) to offer to provide the City with TPL's appraisal for the City's review.

Next, we followed up, in writing:

- (i) to send to the City our appraisal;
- (ii) to ensure confidentiality of our negotiations/documents from public disclosure, essential in a competitive process; and
- (iii) in prompt reply to the City's articulated position on confidentiality/PRA exemptions, to engage in negotiations with the City concerning integrity of the good-faith negotiations in a competitive process.

We also engaged the City on the issue of ascertaining valuation of the property and our need to do a review/analysis of the City's appraisal. We indicated clearly that we would be back in touch once our review of the City's appraisal was completed. TPL is still reviewing the City's appraisal and will have a response by the end of next week.

Lastly, I also want to clarify that the City has already received our "term-sheet" from the time we responded, in writing, to the City's request to us for supplemental information, which request the City sent to us in response to our Notice of Interest (aka Notice of Intention). The essential items of our term-sheet are summarized below. I have also attached a copy of the Supplemental Information that was provided to the City on October 28th:

- out-right purchase (not option; not lease), i.e., we acquire fee title;
- for the entire property, all 102 acres (not just a portion);
- purchase price to be at fair market value, i.e., established by independent appraisal;
- all cash, at closing, i.e., no financing contingency that is predicated on commercial lending and underwriting of creditworthiness of buyer as borrower and/or project, and no requirement of seller-financing;
- standard requirement for contingency period to conduct buyer due diligence, i.e., to assess title condition and property conditions are acceptable;
- no contingency for the securing of zoning change (up-zoning), or for the securing of development entitlements to support the highly speculative value assumption of a master-plan community development, i.e., much shorter contract performance time-line, in that contract performance is not subject to uncertain time-horizon as well as uncertain outcome of regulatory decisions on land-use.

Feel free to reach out with any questions or concerns. Otherwise, we will be in touch next week with a response to the City's appraisal.

Thank you,

Robin Mark
323.333.6310

From: Grace Lee <gracel@ggcity.org>
Sent: Wednesday, May 26, 2021 10:27 AM
To: Robin Mark <Robin.Mark@tpl.org>
Cc: Alex Size <Alex.Size@tpl.org>; Tily Shue <tily.shue@tpl.org>; Greg Blodgett <greg1@ggcity.org>; Omar Sandoval <osandoval@wss-law.com>; Omar Sandoval <omars@ci.garden-grove.ca.us>; Lisa Kim <lisak@ci.garden-grove.ca.us>
Subject: Re: [External] RE: Sale/Lease of the property located at 3017 W. 5th Street, Santa Ana, CA 92703 per the Surplus Land Act

Hi Robin,

We wanted to follow-up on our letter dated April 16, 2021. The City has not received a response or term sheet from your team and we wanted to make sure we had not missed any correspondence from you.

If you need additional information, please let me know.

Thank you.

Grace E. Lee
Sr. Economic Development Specialist
o: (714) 741-5130
w: ggcity.org/businesses

From: "Grace Lee" <gracel@ggcity.org>
To: "Robin Mark" <Robin.Mark@tpl.org>
Cc: "Alex Size" <Alex.Size@tpl.org>, "Tily Shue" <tily.shue@tpl.org>, "Greg Blodgett" <greg1@ggcity.org>, "Omar Sandoval" <osandoval@wss-law.com>, "Omar Sandoval" <omars@ci.garden-grove.ca.us>, "Lisa Kim" <lisak@ci.garden-grove.ca.us>
Sent: Monday, April 26, 2021 4:25:44 PM
Subject: RE: [External] RE: Sale/Lease of the property located at 3017 W. 5th Street, Santa Ana, CA 92703 per the Surplus Land Act

Hi Robin,
Confirming your email has been received by the City. We agree that the negotiating period commences on April 19, 2021. Per your request, please find the City initiated appraisal report [here](#). We have post it on the City's Surplus Land Act website under "City of Garden Grove Notice of Availability of Surplus Land".

We would appreciate a copy of your appraisal as well, thank you. For the time being, email correspondence would be preferred. At a later time, if a meeting needs to be scheduled, I'd be more than happy to set that up for the group.

Thank you.

Grace E. Lee
Sr. Economic Development Specialist
City of Garden Grove - Community & Economic Development Department
Tel. (714) 741-5130
