



Resolution RC 2012 – 22

**Approving
Amendment No. 1 to the
Economic Development Conveyance
Memorandum of Agreement**

**Between
The United States of America Acting by and Through the Navy
And
The Local Redevelopment Authority for Naval Station Roosevelt Roads**

WHEREAS, pursuant to Section 8132 of the Department of Defense Appropriations Act for Fiscal Year 2004 (Public Law No. 108-87; the “**Appropriations Act**”), the Navy was directed to close Naval Station Roosevelt Roads, Puerto Rico (“**NSRR**”) no later than six (6) months after the enactment of the Appropriations Act, and to do so pursuant to the procedures and authorities contained in the Defense Base Closure and Realignment Act of 1990, as amended (title XXIX of Public Law No. 101-510, 10 U.S.C. § 2687 note; the “**Base Closure Act**”); and

WHEREAS, on November 20, 2003, the Puerto Rico Department of Economic Development and Commerce was recognized by the Office of Economic Adjustment of the Department of Defense as the “planning” local redevelopment authority for NSRR; and

WHEREAS, the Navy closed NSRR on March 31, 2004; and

WHEREAS, on August 30, 2006, the Office of Economic Adjustment of the Department of Defense recognized the Local Redevelopment Authority for Naval Station Roosevelt Roads (“**LRA**”), also known as the Portal del Futuro Authority and the Roosevelt Roads Naval Base Lands and Facilities Redevelopment Authority, as the local redevelopment authority for purposes of implementing the local redevelopment plan at NSRR; and

WHEREAS, pursuant to the power and authority provided by Section 2905(b)(4) of the Defense Base Closure and Realignment Act of 1990, 10 U.S.C. § 2687 note, as amended, and the implementing regulations of the Department of Defense (32 C.F.R. Part 174), the Secretary of the Navy is authorized to convey surplus property at a closing installation to a local redevelopment authority for economic development purposes; and

WHEREAS, by application dated December 17, 2010, the LRA applied for an Economic Development Conveyance (“**EDC**”) of approximately one thousand three hundred and seventy (1,370) acres (“**Parcel 3**”) to be used and developed in accordance with the reuse plan submitted in December 2004, as amended on April 30, 2010 by the “Roosevelt Roads Redevelopment Addendum to the 2004 Reuse Plan” (“**Reuse Plan**”); and

WHEREAS, on December 20, 2011, the LRA and the Navy entered into the *Economic Development Conveyance Memorandum of Agreement between the United States of America and the Local Redevelopment Authority for Naval Station Roosevelt Roads* (“**EDC Agreement**”) to set forth the terms and conditions for the transfer of Parcel 3 to the LRA; and

WHEREAS, on January 25-26, 2012, the Navy and the LRA executed twenty-two quitclaim deeds and that certain *Lease in Furtherance of Conveyance between the United States of America and Local Redevelopment Authority for Naval Station Roosevelt Roads at the Former Naval Station Roosevelt Roads, Ceiba, Puerto Rico* (“**LIFOC**”) in order to transfer Parcel 3 to the LRA; and

WHEREAS, the Navy retained ownership of a parcel consisting of approximately one thousand, five hundred and forty-two (1,542) acres at NSRR referred to as “**Parcel 1**” and a parcel consisting of approximately four hundred and ninety-seven (497) acres at NSRR referred to as “**Parcel 2**”; and

WHEREAS, the LRA submitted an amendment to the EDC application to include Parcel 1 and Parcel 2; and

WHEREAS, the LRA and the Navy entered into that certain *Summary of Acquisition Terms and Conditions for Parcels 1 and 2 at Naval Station Roosevelt Roads by and between the United States of America, acting by and through the Navy and the Local Redevelopment Authority for Naval Station Roosevelt Roads* dated July 13, 2012 (“**Term Sheet**”); and

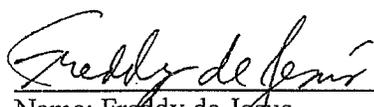
WHEREAS, the LRA and the Navy now desire to enter into Amendment No. 1 to the EDC Agreement (“**Amendment No. 1**”) to amend the EDC Agreement to address the transfer of Parcel 1 and Parcel 2 to the LRA; and

WHEREAS, at its Board Meeting on December 7, 2012, the LRA reviewed, considered, and approved Amendment No. 1.

NOW, THEREFORE, the LRA Board hereby:

1. Authorizes and directs Mr. John Regis, Interim Executive Director (“**Executive Director**”) to execute Amendment No. 1 on behalf of the LRA; and
2. Authorizes the Executive Director to take all necessary actions to consummate the transaction contemplated by Amendment No. 1, including, but not limited to: accepting Parcel 1 and Parcel 2; making any payments required by Amendment No. 1; taking any actions and executing any other documents necessary to implement Amendment No. 1; and making any minor changes or corrections to Amendment No. 1 or its implementing documents that are consistent with the terms of the EDC Agreement, Amendment No. 1, and the intent of the LRA, as set forth in the Reuse Plan, the amended EDC Application, the EDC Agreement, and Amendment No. 1.

**LOCAL REDEVELOPMENT AUTHORITY FOR
NAVAL STATION ROOSEVELT ROADS**



Name: Freddy de Jesus
Title: Secretario Pro Tempore
Date: December 7, 2012

SELLO CORPORATIVO

