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CITY OF FRESNO
CITY CLERK'S OFFICE

Regular Council Meeting
April 21, 2022

FRESNO CITY COUNCIL

City of FRESNO

Email / eComment Report

The Following item(s) were commented on:

File ID 22-613, 1-LL
Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03)

The attached documents are emails or public comment submitted to and/or gathered by District 3. These documents were referenced during the Council Meeting and are being included in the public record.

Supplemental Information:
Any agenda related public documents received and distributed to a majority of the City Council after the Agenda Packet is printed are included in Supplemental Packets. Supplemental Packets are produced as needed. The Supplemental Packet is available for public inspection in the City Clerk's Office, 2600 Fresno Street, during normal business hours (main location pursuant to the Brown Act, G.C. 54957.5(2). In addition, Supplemental Packets are available for public review at the City Council meeting in the City Council Chambers, 2600 Fresno Street. Supplemental Packets are also available on-line on the City Clerk's website.

Americans with Disabilities Act (ADA):
The meeting room is accessible to the physically disabled, and the services of a translator can be made available. Requests for additional accommodations for the disabled, sign language interpreters, assistive listening devices, or translators should be made one week prior to the meeting. Please call City Clerk's Office at 621-7650. Please keep the doorways, aisles and wheelchair seating areas open and accessible. If you need assistance with seating because of a disability, please see Security.

From: noreply@granicusideas.com
To: Clerk; Amanda Martin
Subject: New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting
Date: Monday, April 18, 2022 12:27:59 PM

External Email: Use caution with links and attachments

SpeakUp

New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Jim Connelly submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: Given the historical significance of the Tower Theatre and the importance of the venue to the surrounding neighborhood, I very much support the purchase of the Tower Theatre by the City of Fresno, and want the City Council to vote to approve the sale.

View and Analyze eComments

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From: noreply@granicusideas.com
To: Clerk; Amanda Martin
Subject: New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting
Date: Monday, April 18, 2022 1:03:56 PM

External Email: Use caution with links and attachments

SpeakUp

New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

D Armas submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: I believe this is the best move for the Tower District Community. The culture MUST be preserved and the current owner does not appear to respect that nor the members of the community. I hope the vote will reflect the wants of the community.

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From: noreply@granicusideas.com
To: Clerk; Amanda Martin
Subject: New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting
Date: Monday, April 18, 2022 12:59:03 PM

External Email: Use caution with links and attachments

SpeakUp

New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Kimberly Williams submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: I do not support the City's acquisition of the Tower Theatre nor do I support my taxpayer dollars during an ongoing escrow. I do not want to give money towards what feels like a land grab when my money could be going toward the many needs in the whole City of Fresno. Things like education for your children.

View and Analyze eComments

From: noreply@granicusideas.com
To: Clerk; Amanda Martin
Subject: New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting
Date: Monday, April 18, 2022 1:15:03 PM

External Email: Use caution with links and attachments

SpeakUp

New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Melanie Lamp submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: I strongly support the city's acquisition of the Tower Theater, to preserve both the historic integrity of the theater and the culture of the surrounding community. Please help us preserve out home!

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From: noreply@granicusideas.com
To: Clerk; Amanda Martin
Subject: New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting
Date: Monday, April 18, 2022 1:17:47 PM

External Email: Use caution with links and attachments

SpeakUp

New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Michelle Maggi submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: I support the city of Fresno in the purchase of the Tower Theater. I would like to see the theater run by a non-profit board or foundation such as the Merced Theater, the Visalia Fox Theater and the Hanford Fox Theater. I would like to see the same happen with our other historic theaters and buildings.

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From: noreply@granicusideas.com
To: Clerk; Amanda Martin
Subject: New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting
Date: Monday, April 18, 2022 1:25:54 PM

External Email: Use caution with links and attachments

SpeakUp

New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Ellie West submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: I support the City of Fresno in the purchase of the Tower Theater.

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From: noreply@granicusideas.com
To: Clerk; Amanda Martin
Subject: New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting
Date: Monday, April 18, 2022 1:26:21 PM

External Email: Use caution with links and attachments

SpeakUp

New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Elizabeth Amparo submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: I strongly oppose to the city purchasing the tower theater!

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From: noreply@granicusideas.com
To: Clerk; Amanda Martin
Subject: New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting
Date: Monday, April 18, 2022 1:44:10 PM

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SpeakUp

New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Jim Kitch submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: I support the purchase by the City. This will preserve the unique character of the neighborhood and will align with the goals and objectives of the Tower District Specific Plan.

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From: noreply@granicusideas.com
To: Clerk; Amanda Martin
Subject: New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting
Date: Monday, April 18, 2022 1:42:38 PM

External Email: Use caution with links and attachments

SpeakUp

New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Aaron Martinez submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: I oppose the city€™s purchase of the Tower Theatre, if it is truly about community and culture then that money should be invested back into the community and improvement of other properties and programs

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From: noreply@granicusideas.com
To: Clerk; Amanda Martin
Subject: New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting
Date: Tuesday, April 19, 2022 10:16:12 AM

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SpeakUp

New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Kevin Moss submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: Strongly support this purchase given the theater's historical significance, the borderline illegal manner in which the lease and then attempted sale proceeded, and the existing zoning requirements for the area. Not to mention the public support. It's clear that the Adventure Church, with it's affiliations with known religious extremists (the fascist Proud Boys among them) cannot responsibly support the Tower community and represent the commercial or residential stakeholders long known to the community. Frankly, Abbate has done a huge disservice to the community. It is a sterling example of why property ownership should be only an entry requirement for contributions to a community's culture. The agreed upon culture of Tower should be the priority. That cultural priority is decidedly more consistent with Reel Pride, Rogue Festival, Porchfest, and Broadway Parque, to name only a few.

From: noreply@granicusideas.com
To: Clerk; Amanda Martin
Subject: New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting
Date: Tuesday, April 19, 2022 10:14:26 AM

External Email: Use caution with links and attachments

SpeakUp

New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Lupe G submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quallty Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: The owner should be able to sell to Adventure Church. My tax dollars can be better used else where.

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From: noreply@granicusideas.com
To: Clerk; Amanda Martin
Subject: New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting
Date: Wednesday, April 20, 2022 7:11:23 AM

External Email: Use caution with links and attachments

SpeakUp

New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Raylynn Stanlake submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: I support the sale to the city of Fresno

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To: Clerk; Amanda Martin
Subject: New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting
Date: Wednesday, April 20, 2022 7:11:37 AM

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SpeakUp

New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

B C submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: I oppose the city wasting my taxpayer dollars to oust a church out of purchasing and preserving the theater with their own funds.

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Unsubscribe

From: noreply@granicusideas.com
To: Clerk; Amanda Martin
Subject: New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting
Date: Wednesday, April 20, 2022 12:01:30 AM

External Email: Use caution with links and attachments

SpeakUp

New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Kimberly Lawson submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

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eComment: I support the freedom to practice the religion of your choice. What I don't support is allowing the ego of one man to determine what rules can and cannot be broken. I would hope that a church, that I imagine encourages decency and kindness, to be mindful of others rather than themselves. This whole thing is silly. Move somewhere where you're actually wanted. Tower has had plenty of churches WELCOMED because they did not hurt the businesses or the residents surrounding them. I'm crossing all my fingers and toes that the city buys Tower Theater. It may not be my neighborhood, but its been my, "home" for many years. I also hope that where ever this church moves that they are happy and can find it within themselves to show love; rather than just preach it.

From: noreply@granicusideas.com
To: Clerk; Amanda Martin
Subject: New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting
Date: Tuesday, April 19, 2022 11:59:54 PM

External Email: Use caution with links and attachments

SpeakUp

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SHEREE Nann submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: wasting 6millon on a theatre during a pandemic is ignorant.

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SpeakUp

New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Shawn Wilson submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: I proudly support this and hope that the Tower Theater can be purchased by the city and preserved for the people in the greater community instead of those with selfish, limited interests in the mind.

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SpeakUp

New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Elizabeth Kus submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: Tower Theatre is historic! It should be preserved as the treasure it is. It should be protected as a pla e of art and free speech. It should never have been rented to a hate group that doesn't support the neighborhood. The Tower District is the only cultural and artistic area in Fresno, where all people are welcomed (as long as they support each other!) I know many LGBTQ youth and adults who would not still be alive if not for the culture and acceptance found in Tower. Fresno needs to buy and protect this monument and this beautiful neighborhood.

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New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Josie Souza submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: The Tower District is half the reason I moved to Fresno. Its welcoming atmosphere, its LGBTQIA+ community and supporters, and its forward thinking nature provides a safe space for people who exist outside of what society dictates as the mainstream norm. By purchasing the Tower Theater, the City of Fresno would be preserving and upholding that legacy. So let€™s do the right thing here. #KeepTowerWeird

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New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Jackie Meador submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: I support the City of Fresno to purchase and preservation of the Tower Theater

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SpeakUp

New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

J D submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: In favor of preserving one of cities most beautiful historic buildings

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SpeakUp

New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Nick Keller submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: It's simple. Keep tower away from the hands of people that want to rid a good community. It's hard to express how much damage churches can do to society if you haven't come from it. Fresno doesn't need their brainwashed negativity.

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Monica Castillo submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: I support the city€™s purchase of Tower Theatre.

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SpeakUp

New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Dakota Simpson submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: I support the city purchase of the tower theatre. This home of culture and art must be restored to the people who need it most.

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SpeakUp

New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Kaylene V submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: There are plenty of areas in this town to have a church, tower is not the place for it. Tower district is to celebrate local creatives, festivals, LGBTQ+, and small businesses both with and without liquor licenses. This church clearly has other agendas and was not at all covid safe during major shutdowns, obviously not caring about the surrounding community/other lives in general. This is a beautiful and historic part of Fresno that needs to be preserved and celebrated for what it is, not diminished by a church trying to change the culture around it. Keep Tower weird!

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New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

erica nichols submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: I support the city€™s purchase of Tower Theatre

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SpeakUp

New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Thomas Lake submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: Keep our cultural center free of your lies and fairytales.

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New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Brittany Barnes submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: The Tower Theater is a part of Fresno€™s history & should remain open for the arts, music & movies. Keep the Tower a cultural arts neighborhood & save the Theater!

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New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Kelly Caplan submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: Save tower theatre!

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New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Suzanne Weinstein submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5 Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: I strongly support this potential action taken by The City of Fresno, utilizing my tax dollars, to purchase The Tower Theater with the purpose of preservation of a beautiful, essential center to the inclusive, colorful culture of the Tower District. It is the responsibility of our city leaders to act in the interest of healthy community by building boundaries around entities that would choose to condemn and exclude the citizens of Fresno based on protected statuses.

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Geanie Silva submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: The Tower Theatre should be purchased by the City of Fresno and ran as a arts and entertainment theater. It is in the heart of the Tower District. Throughout the theater's history of arts, entertainment and community events and support, not once speaking in a demeaning or demoralizing way of the businesses the community the neighborhood the people that live in the Tower District. We do not need the Tower theater to be at church with that character.

View and Analyze eComments

From: noreply@granicusideas.com
To: Clerk; Amanda Martin
Subject: New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting
Date: Tuesday, April 19, 2022 10:09:47 PM

External Email: Use caution with links and attachments

SpeakUp

New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Suzanne Weinstein submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: ID 22-618 Proclamation for "Sexual Assault Awareness Month"

eComment: I support this for our community.

View and Analyze eComments

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From: Meghan Schimmel
To: Clerk
Subject: Contact City Clerk Form submitted on City Clerk
Date: Wednesday, April 20, 2022 8:43:25 AM

External Email: Use caution with links and attachments

First Name	Meghan
Last Name	Schimmel
Email	[redacted]
Subject	City Purchase of the Tower Theater-Support
Message	As a life long resident and third generation Fresnan I am in full support of the City of Fresno purchasing the Tower Theater in order to preserve the Tower community as it currently is and make it, as well as the Theater, available for future generations to enjoy. We need to honor the current zoning laws that are in place to keep the arts and entertainment community of the area thriving for years to come. Please keep the Tower District and Theater a place where people can come enjoy, express, and be their authentic selves without feeling the anxiety of losing the community they love or being judged by others.
IP Address	71.195.110.119
User-Agent (Browser/OS)	Apple Safari 15.3 / OS X
Referrer	https://www.fresno.gov/cityclerk/contact-clerk/

From: Paula Balekian
To: Clerk
Subject: Request to Speak Before the Fresno City Council
Date: Tuesday, April 19, 2022 9:21:28 PM

Name:	Paula Balekian
Address	1328 N.Farris Ave. Fresno, California 93738
District	District 1
Phone	[redacted]
Email	
Date You Wish to Speak Before the City Council	April 21, 2022
Topic/Subject	Support the city purchase of the Tower theater.
IP Address	104.5.101.85
User-Agent (Browser/OS)	Apple Safari 14.1.2 / OS X
Referrer	https://www.fresno.gov/cityclerk/boards-commissions/request-to-speak-council/

From: Vanna Nauk
To: Clerk
Subject: Tower Threatre
Date: Tuesday, April 19, 2022 11:58:50 PM

External Email: Use caution with links and attachments

To whom this may concern,

I hope this email finds you well. I am writing to express my support for purchasing the tower theatre by the City of Fresno to recognize the building as a historic site for the public, especially the arts and LGBTQ2+ communities.

--
Kind regards,
Vanna Nauk, MA (He/His)
Lecturer & PhD Student,
Anthropology & Asian American Studies
California State University, Fresno

Input / Learner / Individualization / Ideation / Command

From: JudithReposo
To: Clerk
Subject: Tower Theatre purchase
Date: Wednesday, April 20, 2022 7:10:37 AM

External Email: Use caution with links and attachments

I strongly support the City of Fresno purchasing the Tower Theatre. It is a historical gem and central anchor to the Tower neighborhood. Having the theatre owned by the city and it's citizens is a great way to preserve a landmark while ensuring the continued vitality of Fresno's central neighborhood for the arts.

Sincerely,
Judith Reposo

Judith Reposo, MPT, CLT-LANA
[redacted]

When the bird and the book disagree, always believe the bird. - James Audubon

From: Peter Maiden
To: Clerk
Subject: Tower Theater
Date: Tuesday, April 19, 2022 2:51:18 PM

External Email: Use caution with links and attachments

Hi,

I am writing to express support for the City of Fresno purchasing the Tower Theater. What a great idea! I'm hoping it works out.

Peter Maiden
Fresno

From: Sandra Baronian
To: Clerk
Subject: Tower Theater
Date: Wednesday, April 20, 2022 10:24:01 AM

External Email: Use caution with links and attachments

I support the city purchase of The Tower Theater and expect the city of Fresno to enforce The Tower District Specific Plan. Sandra Baronian

Sent from my iPhone

From: Anoush Ekparian
To: Clerk; Clerk
Subject: Tower Theater!
Date: Tuesday, April 19, 2022 7:45:44 PM

External Email: Use caution with links and attachments

Save the Tower community! Save the Theater! We are excited to see the theater in hands that are not Abbate or Adventure Church! Please vote yes! We are tired of the hate groups coming to our neighborhoods supporting that fake church.
We want the City to buy the City and let a reputable organization run it (NOT Tower Theater Productions)! Please keep churches out of the
Tower Theater! Fight for the Tower District Specific Plan!
Thank you,
Anoush Ekparian-Hadden

From: Jeff DiMarco
To: Clerk
Subject: Tower Theater purchase
Date: Wednesday, April 20, 2022 7:31:55 AM

External Email: Use caution with links and attachments

I support the City of Fresno purchasing the Tower Theatre with the hope that it remains a cultural arts center for our city. Thank you for your efforts to make this happen.

From: Kaitlyn Nichols
To: Clerk
Subject: Public comment 4/21
Date: Tuesday, April 19, 2022 6:00:39 PM

External Email: Use caution with links and attachments

Hello,

I would like to register to give a public comment, in person, at the city counsel meeting. How would I go about doing this?

Warmly,
Dr. Kaitlyn Nichols
--
Kaitlyn Nichols, Psy.D.
Licensed Clinical Psychologist PSY 30721
Phone: (559) 271-1186 ext. 1012
Fax: (559) 271-8041

From: Jaguar Bennett
To: Clerk
Subject: Public comment for 4/21/22 Fresno City Council meeting
Date: Wednesday, April 20, 2022 8:35:05 AM

External Email: Use caution with links and attachments

Please include the following in the record of public comments for the Fresno City Council meeting on April 21, 2022:

Dear Members of the City Council:

I am writing to express my strong support for the City of Fresno purchasing the Tower Theatre. This is the right move to protect a vital economic asset for Fresno, and I applaud your leadership in making this solution possible.

Preserving the Tower Theatre is not a sentimental issue or a culture war issue. It is a straightforward economic issue:

- Preserving the Tower Theatre as a working theater that serves the entire community is preserving an essential economic asset for all of Fresno.
- The Tower Theatre is an engine of economic activity in the Tower District, drawing audiences from the entire San Joaquin Valley.
- The existing zoning and performances at the Tower Theatre support the Tower District economy of live music venues, other live entertainment, nightclubs, restaurants, bars, shops and a lively cultural and artistic scene.
- Studies have shown that every dollar spent on live entertainment generates $12 of economic activity in the surrounding community.
- The economic, artistic and cultural activity in the Tower District raises the profile of Fresno and makes Fresno a desirable place for educated professionals to live.

For all these reasons, it is in the vital interest of all Fresnans that the Tower District remain a vibrant entertainment and nightlife district, with the Tower Theatre as its heart.

City ownership of the Tower Theatre is a forward-looking plan that will preserve one of Fresno's best tourist destinations and economic assets. I urge the City Council to vote yes for City acquisition of the Tower Theatre.

From: sarahcc34@gmail.com
To: Clerk
Subject: Please city of fresno purchase tower theatre
Date: Tuesday, April 19, 2022 5:37:58 PM

External Email: Use caution with links and attachments

To whom it may concern
I hope the city of fresno purchases the tower theatre. The tower theatre is a landmark and means so much to the tower residents and I think it would be detrimental to the neighborhood if it became a church. Please preserve the history of the theatre and consider purchasing it and help keep the integrity of our neighborhood.
Signed, a concerned citizen
Sent from my iPhone

From: Shawn Wilson
To: Clerk
Subject: Please buy the Tower Theater!
Date: Tuesday, April 19, 2022 9:13:39 PM

External Email: Use caution with links and attachments

Hello,

I am writing to urge you to please purchase the property that is the Tower Theatre in the Tower District of Fresno. This is a core landmark in the Tower and it needs to be preserved for and used by the people. I support the preservation of Tower culture and urge the city to purchase it.

Thank you for your time,

Shawn Wilson

From: noreply@granicusideas.com
To: Clerk; Amanda Martin
Subject: New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting
Date: Tuesday, April 19, 2022 10:42:34 AM

External Email: Use caution with links and attachments

SpeakUp

New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Jorge Gonzalez submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: Tower Theatre is a city institution! Since the beginning, Adventure Church has shown nothing but disregard and disrespect to their long standing neighbors while occupying the space. They have used the cultural cache built by many generations of tower faithful of the space to serve their interests only and not benefit the community. The fact that their presence has attracted extremist white nationalist groups is a stain on the legacy of the theatre. The soul of tower will be lost of Adventure church is allowed to move forward with their selfish agenda.

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From: noreply@granicusideas.com
To: Clerk; Amanda Martin
Subject: New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting
Date: Wednesday, April 20, 2022 8:58:30 AM

External Email: Use caution with links and attachments

SpeakUp

New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Arthur Robinson submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: ï¿½â€œEveryday we are given the choice to build a future that does not reproduce the violent asymmetries of the past.ï¿½â€ - Tao Leigh Goffe

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To: Clerk; Amanda Martin
Subject: New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting
Date: Wednesday, April 20, 2022 8:52:14 AM

External Email: Use caution with links and attachments

SpeakUp

New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

T M submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: I support the City of Fresno purchasing the Tower Theater to maintain it's cultural and historical significance to the Tower District, the surrounding community, and the city as a whole.

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From: noreply@granicusideas.com
To: Clerk; Amanda Martin
Subject: New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting
Date: Wednesday, April 20, 2022 8:50:33 AM

External Email: Use caution with links and attachments

SpeakUp

New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Johnny Quintanilla submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: I support the city's purchase of the Tower Theater.

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From: noreply@granicusideas.com
To: Clerk; Amanda Martin
Subject: New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting
Date: Wednesday, April 20, 2022 8:50:26 AM

External Email: Use caution with links and attachments

SpeakUp

New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Angela R submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: I am a Christian, I love God and I love the LGBTQ community, and the diversity that thrives in the Tower. The Tower theatre has provided a safe place for art and expression in the for our city. The purchase of it by the City will help continue preserving this very important place in our community.

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outdoors with friends. The passion for the saving the tower theater has been evident in the voices rallying around it. The negative presence that adventure church brought to the tower was immediately obvious, whether it was their treatment of the homeless, the LGBTQ+ community, harassment of individuals enjoying the walkability of tower, or even bringing in a far right terrorist group, the proud boys. The tower theater belongs to the tower, and the city of Fresno buying it would be one of the best things they can do to uplift this area.

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From: noreply@granicusideas.com
To: Clerk; Amanda Martin
Subject: New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting
Date: Wednesday, April 20, 2022 8:46:10 AM

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SpeakUp

New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Tess Howey submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: The city of Fresno should absolutely purchase this treasured exquisite local landmark. On March 8, 2020, we had my father€™s non-religious memorial service at the tower theater, it was one of the very last public events held before the shut down. My parents were longtime members of the tower community and had their first date at the tower theater 30 years prior. They held many community events, helped paint out graffiti on the weekends, restored their stunning 1914 craftsman home, and over the years attended many events at the tower theater. Growing up as a girl that was considered different, within the tower community I found a colorful, welcoming bunch of people who loved and accepted me. After losing my father, that community continued to love and support me and I don€™t know what I would€™ve done during such a dark time without being able to go to Tower on the weekends & have coffee

From: noreply@granicusideas.com
To: Clerk; Amanda Martin
Subject: New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting
Date: Wednesday, April 20, 2022 8:42:40 AM

External Email: Use caution with links and attachments

SpeakUp

New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Michael Fidalgo submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: I fully support the city purchasing the Tower Theater.

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From: noreply@granicusideas.com
To: Clerk; Amanda Martin
Subject: New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting
Date: Wednesday, April 20, 2022 8:31:08 AM

External Email: Use caution with links and attachments

SpeakUp

New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Kenney Cruz submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: I fully support the city of Fresno buying the Tower Theater and preserving the Tower District as a safe place and welcoming place for all. I live across the street from the current Adventure Church site and they are the rudest and most inconsiderate neighbors I've ever had. They are a disgrace to the Tower District and we would be better off without them all together.

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From: noreply@granicusideas.com
To: Clerk; Amanda Martin
Subject: New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting
Date: Wednesday, April 20, 2022 8:30:56 AM

External Email: Use caution with links and attachments

SpeakUp

New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Nicole Cabrera submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: I am strongly opposed to the churches proposed acquisition of this beautiful historic theater. As a Fresno resident who has lived in The Tower District, it means a great deal to me to see it continue serving this community as an art and cultural haven! It's been a safe place to many in the community, including our LGBTQ neighbors. Disenfranchisement of those who have always sought solace in the welcoming atmosphere of our community theater is wrong! Don't allow this Church to inact a hostile take over! They could conduct their services elsewhere. Respect they neighbors as Christ would have wanted!

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From: noreply@granicusideas.com
To: Clerk; Amanda Martin
Subject: New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting
Date: Wednesday, April 20, 2022 8:21:46 AM

External Email: Use caution with links and attachments

SpeakUp

New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Alexandra Alvarado submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: I support the City of Fresno purchasing the Tower theater

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Subject: New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting
Date: Wednesday, April 20, 2022 8:20:23 AM

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SpeakUp

New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Jordan R submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: I fully support the city purchasing the Tower theatre. The behavior of adventure church has appalled and frightened me. Even filling this out, I am nervous about putting my full name down for fear of being doxed. Adventure church has been encouraging proud boy neo nazis to harass the tower district. I say this as a deeply religious person, no church should want or have neo nazis parading around as "security". Their aggression and disregard has hurt this landmark of the Fresno community. The city purchasing the tower theatre is the best solution.

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SpeakUp

New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Laura Sylvers submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: Keep Tower alive and for the community!! I urge you.

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SpeakUp

New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Victor Trejo submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: I support the city's purchase of the Tower Theater

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SpeakUp

New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Caroline Prout submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: I support the city of Fresno buying the Tower Theater!

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SpeakUp

New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Karen Burley submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5 Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: I remember walking through the Tower Theater when I was 19. It was stunning to witness such beautiful history before my eyes and feel a sense of belonging, as I grew up in theater. It is vital that the city purchases the Tower Theater in Fresno's Tower District. It is a historical building with significant meaning to the community. Without this agreement, Tower has the potential to fall into hands that wish to eliminate the love and acceptance the Tower District has represented for years. While it may seem like just another sale to a government representative, it directly effects the citizens that live in Fresno. This acquisition will help keep a historical treasure alive, while showing the community they are valuable and accepted. Thank you for reading.

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SpeakUp

New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Meriah Calderon submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: I support the city of Fresno buying Tower Theater.

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SpeakUp

New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Sierra Zamora submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: I support city purchase of the tower theatre

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SpeakUp

New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Michael Sanchez submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: I strongly support the city purchasing the theatre.

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destinations and economic assets. I applaud City leadership for making this solution possible and urge the City Council to vote yes for City acquisition of the Tower Theatre.

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SpeakUp

New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Jaguar Bennett submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: I strongly support the City buying the Tower Theatre. The Tower District is an essential economic asset for the City of Fresno, and it is in the interests of all Fresnans that the Tower District remain a vibrant entertainment and nightlife district. Tower District live music venues, other live entertainment, nightclubs, restaurants and bars are a premier tourist attraction that draws audiences from throughout the San Joaquin Valley. Studies have shown that every dollar spent on live entertainment generates $12 of economic activity in the surrounding community. It is vital for Fresno to maintain the Tower Theatre as a historic landmark and live entertainment venue that is open to the entire community and maintain the existing zoning of the Tower District that supports live music venues, nightclubs, restaurants and bars. City ownership of the Tower Theatre is a forward-looking plan that will preserve one of Fresno's best tourist

From: noreply@granicusideas.com
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SpeakUp

New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Salvador Solorio submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: Hello, my name is Salvador Solorio-Ruiz I am an alumni of Fresno State and a Councilmember for the City of Delano. I am submitting a comment to support the City of Fresno purchasing the Tower Theater because I know how much it means to the community of Fresno. As leaders we must prioritize safe and inclusive spaces where all folks are welcomed-that is the tower theatre. I urge you to support the purchase and to prioritize the wants and needs of your community.

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SpeakUp

New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Scott Jones submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: Fresno needs to step up and do the right thing. Preserve the Tower€™s unique space and purchase the theater. I fully support the proposal.

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SpeakUp

New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Albert Casares submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: Good morning! I'm in full support of the City of Fresno's effort to purchase the Historic Tower theater, and to allow Sequoia brewery to exercise their rights in this matter. The Tower district is a unique jewel in our community,of which many businesses contribute greatly in tax revenues. Not to mention a centre of relaxation in the form of entertainment, ie food,music, plays and theater. Many thanks to all those who made their voices heard in this regard.

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SpeakUp

New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Alicia ONeill submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: Would be wonderful for tower theater to be protected and purchased by the city. The Comunity of Tower has asked for the city€™s support for over a year now. Would be great to see this council start protecting and supporting the tower community. Very much in favor of this purchase.

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SpeakUp

New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Michael Wootten submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: I strongly support the City of Fresno purchasing the Tower Theater.

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SpeakUp

New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Natalie Cavallero submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: I fully support the city€™s purchase of the Tower theater

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SpeakUp

New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Ashley Saavedra submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: I am in support the City purchasing the Tower Theater.

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Date: Wednesday, April 20, 2022 7:22:56 AM

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SpeakUp

New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Theresa Gidney submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: Please save the place of community this is for the entire Fresno area. So many cultural experiences will be lost: including musicals for students, LQBTQIA+, Tower residents, and many others. Please honor what the community wants over what one church wants.

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Tower Theater should be reserved for the arts and events that uplift our community! The city purchasing the theater is the best solution here. You have my full support!

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SpeakUp

New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Community Member submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: I am in support of the City of Fresno acquiring the property known widely as The Tower Theater. This city and it's elected officials have a responsibility to uphold zoning laws which clearly hasn't been the case regarding Tower Theater. By acquiring this property the City will be able to continue hosting diverse events which support all factions of our community without infringing upon the licenses (e.g. alcohol) of nearby businesses.

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SpeakUp

New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Alexandra Pytlak submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: I support the city purchasing the tower theatre

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SpeakUp

New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Megan Zaninovich submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: I am in support the City purchasing the Tower Theater.

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SpeakUp

New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

S Scholar submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: I support this purchase.

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To: Clerk; Amanda Martin
Subject: New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting
Date: Wednesday, April 20, 2022 7:03:33 AM

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SpeakUp

New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

David Bonesteel submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: I support this action to preserve a cultural landmark.

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SpeakUp

New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Ben Kloos submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: I support city of Fresno buying the tower theater to keep our cultural arts district vibrant and diverse.

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To: Clerk; Amanda Martin
Subject: New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting
Date: Wednesday, April 20, 2022 6:43:33 AM

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SpeakUp

New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Adrian Ammsso submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: I support the city of Fresno purchasing the historic Tower theatre!

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SpeakUp

New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Anne Marks submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CFQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: I support the preservation of the Historic Tower Theater and preservation of the existing arts and entertainment district by keeping the current zoning as-is.

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Date: Wednesday, April 20, 2022 6:34:50 AM

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SpeakUp

New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Angel Medina submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: I support the City purchase of the Tower Theater!

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Date: Wednesday, April 20, 2022 6:26:48 AM

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SpeakUp

New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Tristin Morgan submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: I support and encourage the city to purchase the tower theater.

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SpeakUp

New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Caroline BacaVecchio submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: I support the City of Fresno acquiring the Tower Theatre.

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SpeakUp

New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Elizabeth Massaro submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: I support the City purchase of the Tower Theater!

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SpeakUp

New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Jordanne Church submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: I support the City of Fresno acquiring the Tower Theatre.

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New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Lynn Mathias submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: This would be a fantastic event to preserve the Tower Theater and the neighborhood. The theatre is the hub for our diverse all inclusive neighborhood for all to enjoy. The church€™s behavior with regard to their purchase has been very divisive and not the least bit concerned about preserving what the Tower Theater represents or our neighborhood. Their refusal to disassociate themselves from the Proud Boys is one of many examples. I have lived in and around the Tower District for well over 25 years and I wish to see the uniqueness preserved.

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due to understanding the shady business practices. Please keep Tower for the people. Residents and Tower lovers do not deserve any more appearances from the terrorist group the proud boys(which is who comes out and Abbate and Flores shake their hands). This organized hate group doesn't belong in the loving environment that Tower district oozes daily. Horrible changes will come from allowing Abbate to sell to a cocky, pastor. It's been ungodly of him to smirk and taunt peaceful protestors. Tower forever

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From: noreply@granicusideas.com
To: Clerk; Amanda Martin
Subject: New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting
Date: Wednesday, April 20, 2022 5:33:59 AM

External Email: Use caution with links and attachments

SpeakUp

New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Li Garcia submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: Please see through the rumors spread by adventure church that Tower residents do not want a church in Tower. Some of us protestors are Christian but do not condone the fact that Laurence tried to sell the theater behind painted tables and me n eds back. That is suspicious, please preserve historic Tower district. Shady business deals and gentrification isn't welcome. I do not feel as safe as anywhere else and I do not want my favorite businesses to go under due to a rezone. Anthony Flores has done nothing for the community and the sale to a church will change an environment that didn't need changing or saving in the first place. Let Tower be. Tower residents have never created an issue with other churches so there's the proof it isn't about religion. Let us focus on why Abbate tried to sneakily sell the property and his intentions to wreck a community. He was 100% in the wrong and many booked acts cancelled their shows

From: noreply@granicusideas.com
To: Clerk; Amanda Martin
Subject: New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting
Date: Wednesday, April 20, 2022 5:14:47 AM

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SpeakUp

New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Isaac Torres submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: Please purchase the property for our city and utilize it for ALL of our people.

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To: Clerk; Amanda Martin
Subject: New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting
Date: Wednesday, April 20, 2022 5:10:49 AM

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SpeakUp

New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Fernando Morales submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: This is an imperative opportunity to salvage key aspects to Fresno€™s community, and further provide equitable access to this culturally unifying hub. As a 559 local, it is hopeful witnessing elected officials prioritizing the voices of the public!

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To: Clerk; Amanda Martin
Subject: New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting
Date: Wednesday, April 20, 2022 4:58:24 AM

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SpeakUp

New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Teresa Silva submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: Im a life long resident of Fresno and I support the City of Fresno purchasing the Tower Theater. This space should be used for all Central Valley residents for all types of events.

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Subject: New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting
Date: Wednesday, April 20, 2022 4:55:04 AM

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SpeakUp

New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Fatima Sheikh submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: Support! Definitely a great investment in for the community.

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To: Clerk; Amanda Martin
Subject: New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting
Date: Wednesday, April 20, 2022 4:35:02 AM

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SpeakUp

New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Ashley Nebeker submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: All for city owned Tower theater!!!

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To: Clerk; Amanda Martin
Subject: New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting
Date: Wednesday, April 20, 2022 4:19:43 AM

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SpeakUp

New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Jean Brletic submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: I fully and enthusiastically support the City€™s purchase of The Tower Theatre. It will preserve a historic treasure and the integrity of this neighborhood. Ensuring this art hub and icon is the right decision for our community and will hopefully put an end to the turmoil that has been caused by the current arrangement which violates municipal codes.

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Date: Wednesday, April 20, 2022 2:45:24 AM

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SpeakUp

New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Cynthia Guardado submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: I support the city€™s purchase of the Tower Theatre as a way to preserve the history of a community and it€™s arts. This historic building should be preserved and continue to exist as a space where community gathers and tourist can visit. The previous arrangement violates municipal codes, but this new arrangement benefits the Tower District community and also works in tandem with the city.

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Date: Wednesday, April 20, 2022 2:37:25 AM

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SpeakUp

New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Amber Fargano submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: Support!

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Subject: New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting
Date: Wednesday, April 20, 2022 12:32:33 AM

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SpeakUp

New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Jennie Lopez submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: I support the city€™s purchase of Tower Theatre.

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To: Clerk; Amanda Martin
Subject: New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting
Date: Wednesday, April 20, 2022 12:15:41 AM

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SpeakUp

New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Crystal Martinez submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: Tax payers money can be used on things that matter!!

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To: Clerk; Amanda Martin
Subject: New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting
Date: Wednesday, April 20, 2022 12:09:45 AM

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SpeakUp

New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Michael Garcia submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: I saw enough when the proud boys showed up as a counter protest! I want to feel safe in an area we, (my friends, family, fiancé and I,) have frequented for years.

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Subject: New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting
Date: Wednesday, April 20, 2022 12:09:45 AM

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SpeakUp

New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Sadie Cobb submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: I€™m commenting in support of The City€™s Ownership of Tower Theater in order to sustain it€™s historical integrity and the character it brings to our community.

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From: noreply@granicusideas.com
To: Clerk; Amanda Martin
Subject: New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting
Date: Tuesday, April 19, 2022 11:38:26 PM

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SpeakUp

New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Reality Sims submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: I support the city of Fresno buying tower theater.

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From: noreply@granicusideas.com
To: Clerk; Amanda Martin
Subject: New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting
Date: Tuesday, April 19, 2022 11:37:37 PM

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SpeakUp

New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Estevan Gutierrez submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: This is the best choice to keep a thriving economic center thriving.

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Jorge Fernandez

From: Carlos Navarro [redacted]
Sent: Tuesday, April 19, 2022 6:07 PM
To: District3
Subject: Tower theatre

External Email: Use caution with links and attachments

Mr. Arias,
I live in district 3 in which you represent, I would like to let you know that I am very much against the City of Fresno interfering with the Tower Theatre scandal, I would hope that you vote against this witch hunt that Soria has started. I only ask that you search your heart and vote what the Lord puts in your heart. May God bless you and your family. Thank you.

Sent from my iPad

Jorge Fernandez

From: Brian Petersen <[redacted]
Sent: Tuesday, April 19, 2022 11:31 PM
To: District3
Subject: Contact District 3 Form submitted on City Council

External Email: Use caution with links and attachments

First Name	Brian
Last Name	Petersen
Address	64144 Hume Lake Rd Unit 313
Email	[redacted]
Phone Number	
Subject	Adventure Church belongs at the Tower
Message	All people of faith are welcome in Fresno as we celebrate our diversity and unity as One Fresno. Adventure Church has a beautiful legacy of meeting at the Tower Theatre and should continue as the rightful faith community to purchase the Tower without the obstruction of city leaders and closed minded extremist activists. All should be welcome in Fresno. Why have city leaders and individuals campaigned against the actions of a faith community? Why is the city trying to negotiate business deals against a church? Stop persecuting the members of a local church, and let's unite together at the Tower as the great community that we are and have been. May there be more faith in Fresno. More unity. More hope. More Christ's love. Stop the hate.
IP Address	47.152.249.180
User-Agent (Browser/OS)	Apple Safari 15.4 / OS X
Referrer	https://www.fresno.gov/citycouncil/district-3/contact-us/

Jorge Fernandez

From: Patty John [redacted]
Sent: Wednesday, April 20, 2022 7:46 AM
To: District3
Subject: Contact District 3 Form submitted on City Council

External Email: Use caution with links and attachments

First Name	Patty
Last Name	John
Address	10255 N Boyd Ave
Email	[redacted]
Phone Number	
Subject	Please vote No on the the Tower Deal
Message	Please vote no on Tower Deal...freedom of Religion
IP Address	107.201.47.24
User-Agent (Browser/OS)	Google Chrome 100.0.4896.75 / OS X
Referrer	https://www.fresno.gov/citycouncil/district-3/

From: noreply@granicusideas.com
To: Clerk; Amanda Martin
Subject: New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting
Date: Wednesday, April 20, 2022 8:25:53 AM

External Email: Use caution with links and attachments

SpeakUp

New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Lolita Cobarrubias submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: I don€™t support City officials spending the tax dollars for their own selfish gain

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To: Clerk; Amanda Martin
Subject: New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting
Date: Wednesday, April 20, 2022 8:25:47 AM

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SpeakUp

New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Joshua Howk submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: I support the City of Fresno purchasing the Tower Theatre

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SpeakUp

New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Concerned Citizen submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: I strongly oppose any involvement by the City to use TAX PAYER MONEY to purchase The Tower Theater at 6.5 million dollars and float a LOAN to Sequoia Brewery for 30years at 3.5%. Ridiculous! Not only that, but cover the legal fees of both Laurence and Sequoia?!?! No, that is blatant abuse of Taxpayer Funds! When our Crime is out of control not just in the Tower but City Wide! This is an awful misappropriation of funds and must not be allowed.

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Subject: New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting
Date: Wednesday, April 20, 2022 6:55:55 AM

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SpeakUp

New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Danielle Seaberg submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: I support the sale to the City of Fresno.

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SpeakUp

New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Kyleigh Espinosa submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: I Strongly oppose the City of Fresno buying The Tower Theater. We as a church congregation are just trying to help the community by opening and having a place, for people who need hope. We do not need council members getting involved in things that are of no concern to them. Adventure Church has always provided for The Theater since being in there. We need facts, not the lies that council members tell. We know what we stand for and in the end we know who has the victory. Praying for everyone here!

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SpeakUp

New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Anthony teNyenhuis submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: I support the city purchasing the church

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SpeakUp

New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Rebecca Rebecca submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: City of Fresno is illegally interfering with a private sale. They want to use our tax dollars that we work hard for a wrongful purchase. I wonder if we pay for their weekend getaways and dinners as well. Adventure Church has kept that building up. They have put thousands into its upkeep. They were promised that building and deserve to have it.

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SpeakUp

New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Jackson Carbajal submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: I almost lost my life in Tower District. Tower District NEEDS the church.

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Date: Tuesday, April 19, 2022 6:22:09 PM

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SpeakUp

New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Jessica Rivera submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: The theater is already protected as it is registered as a historical landmark. This item on the agenda is an inappropriate amount of money to be used in such a way as being proposed. It is completely unethical and without merit. The money should be used to help the community members in which would benefit the most. The needy, the hopeless, the children, the schools, the churches! Not that which fuels the agenda of crooked council member and greedy community members.

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Subject: New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting
Date: Tuesday, April 19, 2022 6:25:12 PM

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SpeakUp

New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Bambi Wright submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: The City should not be spending our tax dollars on what should be a private sale.

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SpeakUp

New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Courtney Lucio submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: I oppose to Fresno city purchasing tower theater

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SpeakUp

New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Renee Powers submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: The city has no right to interfere in the sale of a privately owned business. This is ideologically and politically motivated by those who oppose and choose to discriminate against Christians. Those protesting the sale don€™t even patronize the Tower Theatre. They think they own the neighborhood and do not want a Christian organization purchasing the theater, plain and simple. The city of Fresno is participating in gross religious discrimination and are violating constitutionally protected property rights through the missuse of eminent domain. This should not be allowed!

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Subject: New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting
Date: Tuesday, April 19, 2022 5:42:15 PM

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SpeakUp

New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Micaela Garcia submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: I do not support the city in the purchase of the Tower Theater.

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SpeakUp

New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Brian Gregory submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: Preserve the arts!

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SpeakUp

New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Ester Lopez submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: I oppose the city interrupting the private sale of the Tower Theatre to Adventure Church. There are more useful needs to spend our tax dollars on.

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From: noreply@granicusideas.com
To: Clerk; Amanda Martin
Subject: New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting
Date: Tuesday, April 19, 2022 3:27:32 PM

External Email: Use caution with links and attachments

SpeakUp

New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Garret Gonzalez submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: Protect the Tower Theater!

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From: noreply@granicusideas.com
To: Clerk; Amanda Martin
Subject: New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting
Date: Tuesday, April 19, 2022 3:15:14 PM

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SpeakUp

New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Kels T submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: I OPPOSE the city of Fresno purchasing the tower theater. The city didn’t even want to buy Tower Theater until they realized Adventure Church wanted to buy it. The church is the one being harassed every morning due to hateful people. Yet the church still loves people, loves Jesus, and loves making connections. I don’t see anything wrong in simply purchasing a building that no one even wanted in the first place.

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From: noreply@granicusideas.com
To: Clerk; Amanda Martin
Subject: New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting
Date: Tuesday, April 19, 2022 3:09:30 PM

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SpeakUp

New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Adrianna Thompson submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: The city should not interfere with a private sell. Did anyone really care about the tower theatre until they found out a church was buying it? Tax dollars should be used for something that is more beneficial to our city.

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From: noreply@granicusideas.com
To: Clerk; Amanda Martin
Subject: New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting
Date: Tuesday, April 19, 2022 3:04:27 PM

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SpeakUp

New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Ruby Garrison submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: I oppose city of fresno trying to make a purchase of the Tower Theater. My household and I do not agree for our tax dollars to be waisted on something that is not necessary. The $6.5 million should be used on whats truely needed such as schools, parks or better yet a place for homeless where they can campout and our city won't look or be so dirty.

View and Analyze eComments

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clean up the used needles and crack pipes tower kids find all the time right outside their school grounds walking to and from school, fill in pot holes, etc. so much to work on. District 1 is the worse kept Fresno City District! Our councilwoman simply does not care about her District and constituents. Shame on her! Shame on all you who entertain her unprofessionalism & scams. Just checkout Granite Park and all of the fraudulent activities there! FALLOW THE MONEY!! *I said, what I said, read it again and do what you promised us.

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From: noreply@granicusideas.com
To: Clerk; Amanda Martin
Subject: New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting
Date: Tuesday, April 19, 2022 3:00:27 PM

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SpeakUp

New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Marycela Pacheco submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: IT€™s ALL ABOUT THE MONEY! City of Fresno is playing with my money, your money, our money! And doing with it what I do not want. They are proposing using Park Building money to purchase the building, rather than what the taxpayers voted on initially-building a park for tower kids. All while people have to break into tower school grounds to have a place to play and gather-then come Monday, students find drugs, drug paraphernalia, used condoms, etc. on school grounds€my 5 year old put in his pocket a glass piece of a pipe with drug substance picked up on school grounds at the kinder playground-because he €œthought it looked cool€ , and didn€™t know what it was. Stop misusing my tax dollars, stop doing what your constituents don€™t want you to do. Start doing your jobs! Clean up tower streets, clean up the homelessness problem, hold businesses accountable for the garbage around their buildings,

From: noreply@granicusideas.com
To: Clerk; Amanda Martin
Subject: New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting
Date: Tuesday, April 19, 2022 2:58:51 PM

External Email: Use caution with links and attachments

SpeakUp

New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Stephanie Ferguson submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: This is a misuse of power and taxpayers money. How does this benefit the City of Fresno by using money to bail people out of lawsuits? The city has no business inserting itself into a private sale. There are many areas of the City that are in need if they decide that measure P money can be used for anything they want.

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Jorge Fernandez

From: None Ya <[redacted]
Sent: Wednesday, October 13, 2021 7:22 PM
To: District1; District3; District2; District4; District5; District6; District7
Subject: Tower theater

External Email: Use caution with links and attachments

This is a privately owned well-maintained business and the sale is between Tower theater & Adventure Church. This has nothing to do with the city of Fresno especially since the city has proven they are unable to maintain historic landmarks within the city. With that said I think you all should be acting in the best interest of the city instead of a few people who obviously hate God, Christians and everything it stands for. District 1 and district 3 look like third world countries in fact all of avenue is filled with homeless encampments on every vacant lot, sidewalk, Roading Park and all the fast food places on Olive due to buying up the motels Olive avenue now looks like around the poverello House. Shouldn't this be where your time is spent? Wouldn't this benefit more of the City of Fresno than buying a privately owned theater that's been preserved for 80 years? What is the end goal here? Please consider everything I have said and if you don't believe me drive up and down Olive avenue and within the neighborhoods and you will see all the campers in the RVs and homeless lined up like the city is broke but yet we want to buy a privately owned business? That already has a buyer. I'm almost positive several of you won't make it this far but if you did thanks in,.Respectfully,Amber Hillman

Jorge Fernandez

From: Martha Kolstad [redacted]
Sent: Wednesday, April 20, 2022 11:34 AM
To: District1; District2; District3; District4; District5; District6; District7
Subject: Fresno Purchase of Tower Theatre - NO

External Email: Use caution with links and attachments

Councilmembers,

It is my opinion, as a taxpayer, that the City of Fresno City Council has no business purchasing the Tower Theatre for $6.5M – or any amount.

You show the City of Fresno that you are not being good stewards of our money by presenting deals like this that would open Fresno to potentially enormous lawsuits that could cost millions of dollars more in the future.

I am tired of being on the hook for bad decisions that you will never see to the end process, but we will suffer the impact and unknown consequences for years to come.

This is a ridiculous proposal and a betrayal of your responsibility to the taxpayers you represent. Rest assured that there are many people who share my viewpoint and are being urged to contact you.

We want to see a NO vote.

MK

Martha Kolstad
A to Z Insurance, Inc.
2014 Small Business of the Year, CA District 23
[redacted]

yelp
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To Post Your Review
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CLICK HERE

I am tired of being on the hook for bad decisions that you will never see to the end process, but we will suffer the impact and unknown consequences for years to come.

This is a ridiculous proposal and a betrayal of your responsibility to the taxpayers you represent. Rest assured that there are many people who share my viewpoint and are being urged to contact you.

We want to see a NO vote.

MK

Martha Kolstad

A to Z Insurance, Inc.

2014 Small Business of the Year, CA District 23

[redacted]

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Jorge Fernandez

From: Ron Silva [redacted]
Sent: Wednesday, April 20, 2022 12:16 PM
To: Martha Kolstad
Cc: District1; District2; District3; District4; District5; District6; District7
Subject: Re: Fresno Purchase of Tower Theatre - NO

External Email: Use caution with links and attachments

No City should use TAXPAYER Dollars to buy a Building that can compete with other businesses like it. Private businesses must provide their own resources to stay in Business. Small business cannot compete with Government ran businesses. It unfair and wrong on all levels.

Ron Silva



On Wed, Apr 20, 2022 at 11:33 AM Martha Kolstad [redacted] wrote:

Councilmembers,

It is my opinion, as a taxpayer, that the City of Fresno City Council has no business purchasing the Tower Theatre for $6.5M – or any amount.

You show the City of Fresno that you are not being good stewards of our money by presenting deals like this that would open Fresno to potentially enormous lawsuits that could cost millions of dollars more in the future.

Phone Number	[redacted]
Subject	Adventure Church belongs at the Tower
Message	All people of faith are welcome in Fresno as we celebrate our diversity and unity as One Fresno. Adventure Church has a beautiful legacy of meeting at the Tower Theatre and should continue as the rightful faith community to purchase the Tower without the obstruction of city leaders and closed minded extremist activists. All should be welcome in Fresno. Why have city leaders and individuals campaigned against the actions of a faith community? Why is the city trying to negotiate business deal against a church? Stop persecuting the members of a local church, and let's unite together at the Towe as the great community that we are and have been. May there be more faith in Fresno. More unity. More hope. More Christ's love. Stop the hate.
IP Address	47.152.249.180
User-Agent (Browser/OS)	Apple Safari 15.4 / OS X
Referrer	https://www.fresno.gov/citycouncil/district-3/contact-us/

Jorge Fernandez

From: Brian Petersen [redacted]
Sent: Wednesday, April 20, 2022 9:52 AM
To: District3
Subject: Re: Contact District 3 Form submitted on City Council

External Email: Use caution with links and attachments

Thank you, Jorge,

Please pass along my request that Mr. Arias should resign immediately for trying to intervene in the business dealings of a church in our community while gang activity, human trafficking, and crime is sky rocketing. Lending money to a brewery is not the function of a city leader.

Brian

> On Apr 20, 2022, at 9:31 AM, District3 <District3@fresno.gov> wrote:
>
> Hello Brian,
> Thank you for your comments. I will make sure to pass this along to CM Arias.
>
> Have a great day,
> -Jorge Fernandez
>
> **From:** Brian Petersen [redacted]
> **Sent:** Tuesday, April 19, 2022 11:31 PM
> **To:** District3 <District3@fresno.gov>
> **Subject:** Contact District 3 Form submitted on City Council
>
> **External Email:** Use caution with links and attachments
>
> | | |
> |---|---|
> | **First Name** | Brian |
> | **Last Name** | Petersen |
> | **Address** | 64144 Hume Lake Rd Unit 313 |
> | **Email** | [redacted] |

Jorge Fernandez

From: Brad Fischer [redacted]
Sent: Wednesday, April 20, 2022 9:56 AM
To: District3
Subject: Contact District 3 Form submitted on City Council

External Email: Use caution with links and attachments

First Name	Brad
Last Name	Fischer
Address	[redacted]
Email	
Phone Number	
Subject	Tower Theater
Message	I'm opposed to the purchase of the Tower Theater by the City of Fresno. This is not a asset the city should acquire and should not interfere in the private business transaction involving this property. It's not the proper use of tax payer dollars. Thank you, Brad
IP Address	137.83.26.66
User-Agent (Browser/OS)	Google Chrome 100.0.4896.127 / Windows
Referrer	https://www.fresno.gov/citycouncil/district-3/

From: noreply@granicusideas.com
To: Clerk; Amanda Martin
Subject: New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting
Date: Tuesday, April 19, 2022 11:25:10 AM

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SpeakUp

New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Rachel Tamayo submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: I strongly oppose the pointless interference by the city of the a private purchase. For a minute, forget about what a waste of money it would be to all taxpayers. The main point is that Adventure is bringing light and freedom into a hurting world, come inside, you€™re invited!

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From: noreply@granicusideas.com
To: Clerk; Amanda Martin
Subject: New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting
Date: Tuesday, April 19, 2022 11:27:02 AM

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SpeakUp

New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Erica Holly submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: Having lived in both the tower area and west Fresno, I strongly oppose wasting tax payer money on a theater instead of improving the already neglected roads and parks of our city. This is a gross misappropriation of funds.

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From: noreply@granicusideas.com
To: Clerk; Amanda Martin
Subject: New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting
Date: Tuesday, April 19, 2022 10:44:08 PM

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SpeakUp

New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Shelby StrategierLeetch submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: I support the city of Fresno's proposed purchase of Tower Theatre.

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From: noreply@granicusideas.com
To: Clerk; Amanda Martin
Subject: New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting
Date: Tuesday, April 19, 2022 10:40:21 PM

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SpeakUp

New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Veronica Lara submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: Adventure Church is great church i have lived in Tower district area for many years and have seen the difference they have made in the community from so, many types of backgrounds all we want is to love people and see the good we have to give to this LIFE

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Jorge Fernandez

From: Mark Ragains [redacted]
Sent: Wednesday, April 20, 2022 10:39 AM
To: District3
Subject: Contact District 3 Form submitted on City Council

External Email: Use caution with links and attachments

First Name	Mark
Last Name	Ragains
Address	[redacted]
Email	
Phone Number	
Subject	Tower district Theater
Message	Dear Councilman Arias, I wish to urge you in the strongest possible terms to not interfere with the private sale of the Tower Theater to the Adventure Church. As a resident of the neighborhood I feel very strongly that we need to presence and positive influence of the church. The church has a mitigating effect on the issues of crime, drugs, homelessness, divorce and other issues we face. We need the Adventure Church who has negotiated the purchase and has a funded escrow account in place. Leave the sale alone! Thank you, Mark Ragains
IP Address	73.66.73.180
User-Agent (Browser/OS)	Google Chrome 100.0.4896.127 / Windows
Referrer	https://www.fresno.gov/citycouncil/district-3/contact-us/

Jorge Fernandez

From: Greg Smith <[redacted]
Sent: Tuesday, April 19, 2022 12:03 PM
To: District3
Subject: Contact District 3 Form submitted on City Council

External Email: Use caution with links and attachments

First Name	Greg
Last Name	Smith
Address	[redacted]
Email	
Subject	Tower Theater
Message	Dear Councilmember, I am passionately opposed to the city buying the Tower Theater, and loaning money to the brewery to facilitate their purchase. This is not the place of the city, it is morally wrong, and is an improper use of funds. I was born in Fresno, as my father was before me. I used to go to the Tower as a kid. As a longstanding Fresno resident and city property owner and tax payer, I urge you to vote no. Sincerely, Greg Smith
IP Address	206.162.235.220
User-Agent (Browser/OS)	Google Chrome 100.0.4896.127 / Windows
Referrer	https://www.fresno.gov/citycouncil/district-3/contact-us/

Jorge Fernandez

From: Barry Phillips [redacted]
Sent: Tuesday, April 19, 2022 10:52 AM
To: District3
Subject: Tower Theater

External Email: Use caution with links and attachments

The City of Fresno has no business injecting themselves in this issue. This D3 homeowner says NO!

B Phillips
93728

From: noreply@granicusideas.com
To: Clerk; Amanda Martin
Subject: New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting
Date: Tuesday, April 19, 2022 2:58:51 PM

External Email: Use caution with links and attachments

SpeakUp

New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Stephanie Ferguson submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: This is a misuse of power and taxpayers money. How does this benefit the City of Fresno by using money to bail people out of lawsuits? The city has no business inserting itself into a private sale. There are many areas of the City that are in need if they decide that measure P money can be used for anything they want.

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SpeakUp

New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Erika Castanon submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: It€™s been a long bitter battle and if the city chooses to intervene then I think it€™s best. Also Church question why you think it€™s wise to use your congregations money to impose your will on the area?

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SpeakUp

New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Scott Gabrielson submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: Please drive around Fresno today, and then explain how THIS is the best use of our tax dollars at the moment. Now we get the opportunity to see if you actually listen to the tax payers, or maybe this city is being run by a small fringe element. Your constituents are watching..

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SpeakUp

New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Naomi Martinez submitted a new eComment

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: The City is wasting tax payers dollars interfering. I oppose the illegal immoral sale to the city.

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SpeakUp

New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Erin Schuurman submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: The church has entered into a lawful purchase agreement and is only facing opposition from the radical left who wants God out of everything. The protestors have been obscene, offensive, lacking in tolerance and goodwill toward everyone who enters the church or supports them. They often dox, harass, follow, curse, slander, mock and threaten anyone attending or counter protesting. The city is bending the knee to a part of the community that wants to further destroy the family unit, the faith community, and our beautiful city. They will stop at nothing to further marginalize and demonize Christians, or any organization that upholds biblical beliefs, because they don€™t agree with it. The city should address ALL citizens interests, and not use tax payer monies to push out a body of believers who want nothing more then to worship and uplift the community in Tower. I have personally attended the services, and

the people are nothing less then kind and welcoming. Considering the church is made up of primarily ◆€œminority◆€ attendees, it is all too apparent that politics are at play here, they don◆€™t fit the mold of what the left supports, then they aren◆€™t worthy of protection and government support. Shameful. Fresno is headed in the wrong direction if this is the way we are going to treat churches. Maybe Granite Park should get similar attention and scrutiny, Soria and Arias.

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New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Kathryn Ervin submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: STOP Diverting tax dollars away from real, tangible needs of Fresnans in areas where tax funds help most and reap the greatest returns. Do NOT SQUANDER Fresno Taxpayer,'s hard-earned Money on a Poor-Returns Agenda. City Council of Fresno, STOP betraying Fresnans through taxation without representation. MEET Real Needs of Fresnans in city areas where tax funded help does the most tangible good with the greatest returns. STOP. Don't divert city funds away from other deserving needy areas of Fresno that would be be better off with economic, safety, and infrastructure improvements. The City of Fresno has a Poor Historical Record of Failings, when it has involved itself with management, control, and ownership of properties and businesses in the past.

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SpeakUp

New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Claire Evans submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: Please please take ownership

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New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Judy Murdock submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: I oppose the City of Fresno purchase of the Tower Theater. We should be using our tax dollars for more great and positive changes in our city. This is a misuse of taxpayers dollars. As someone born and raised in Fresno it's appalling how this has even been in discussion. As a taxpayer we have road work needed to be fixed that will benefit EVERYONE not just a select few people there's plenty of homeless people who need help with housing, food etc. The list goes on and on let's start making Fresno something everyone can be proud of.

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SpeakUp

New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Hillary Wippert submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: Do not use my tax dollars to steal a building. Adventure Church has been serving the community for years. Suddenly, it's an issue? We are not stupid.

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New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Aaron Martinez submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: I oppose the city€™s efforts to buy the Tower Theater and should invest their efforts and this money into the community and betterment of existing community buildings

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Adventure Church I feel bullied. It's no wonder why Fresno is the way it is and is going to continue that path if this passes. You should be ashamed of yourselves Mayor Dyer, city council, and FPD!

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New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Stephanie Espinosa submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: I strongly oppose the sale of Tower Theatre to the city of Fresno. It is illegal, immoral, and unethical on so many levels. I'm angry and saddened that the city would use my tax dollars for their own agenda. Rather than improving parks, roads, inflation, gangs, gun violence, drug addiction, and homelessness the city wants US to spend millions of dollars to keep a well loved church out of the Theatre and pay for legal fees and loans for their benefit. Wow!! The misuse of your power, authority, and management is alarming and disheartening. The beloved Tower District is supposed to be an area that's all inclusive yet the city is fighting to remove a church from there specifically. We have the right to religion... everywhere besides Tower Theatre? Is that the message? It's baffling that this type of reckless corruption is allowed and encouraged. Wake up people of Fresno! As a tax payer I feel played, and as a member of

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New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Armando Armas submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: I strongly OPPOSE! I€™ve lived in Tower District almost 10 years and having a church in my neighborhood is the best thing that has happened for the community. The City of Fresno has so many unfinished projects, it has a bad track record of misusing tax payer money. The City is willing to use tax payer money to buy a building by interfering with a private sale. The Mayor said that only 95% of Fresno cares about what is happening with the theater. Well what about the 5% that does care, are they not good enough to fight for? You can have anything and everyone in Tower, just not a church. That€™s the message being put out. I oppose 110%.

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SpeakUp

New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Rosie Ruiz submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: I oppose the City if Fresno purchase of the Tower Theater. This is a misuse of taxpayers dollars. There are serious issues in Fresno that do not seem to be getting as much attention and or support as this. Do better Fresno.

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New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Frances Robles submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

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eComment: I strongly oppose!!!!!

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Amanda Bandini submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: I oppose. The City is attempting to take away an opportunity from one of our own local establishments. Having grown up in Fresno there are a lot of other areas that can use this money.

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To: Clerk; Amanda Martin
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Date: Tuesday, April 19, 2022 12:44:05 PM

External Email: Use caution with links and attachments

SpeakUp

New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Tere Marquez submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: I oppose the use of my tax dollars to fund this purchase to appease a few members of the community. The money could be better spent in hiring police officers, funding schools, or fixing our roads.

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SpeakUp

New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Ajanna Ball submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: OPPOSE. It should be the owners right to sell to whoever they want to sell too. I oppose the interference of a private sale and misuse of taxpayer money

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Date: Tuesday, April 19, 2022 12:28:51 PM

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SpeakUp

New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

AJ Cromer submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: I oppose the City of Fresno purchasing the Tower Theater and assuming financial responsibility through Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery.

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SpeakUp

New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Mary Flores submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: I feel the city needs to use our tax payers money on things that are important like fixing the roads, hiring more officers to try to control these gangs, our city doesn&#65533;€™t need the city to be a loan office for sequoia brewing, why didn&#65533;€™t the city give loans to these businesses that had to close down due to Covid I didn&#65533;€™t see any mention on trying to help keep them open but cause the church wants to keep tower theatre as their home church city wants to step in isn&#65533;€™t it bad enough we have DUI deadly accidents from alcohol and you want to help another place that don&#65533;€™t care about drinking and driving as long as they make money that&#65533;€™s very sad that we have people on the board that feel the same way as sequoia brewing

From: noreply@granicusideas.com
To: Clerk; Amanda Martin
Subject: New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting
Date: Tuesday, April 19, 2022 12:17:28 PM

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SpeakUp

New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Kat Bos submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: OPPOSE! What a misuse of taxpayer money

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Date: Tuesday, April 19, 2022 12:05:14 PM

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SpeakUp

New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

B Phillips submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: The City is in no position to make this purchase nor lend money to Sequoia to buy their portion. This is not City business and although I would rather see the Theater stay as is, it's a free market transaction and this is a slippery slope. Imagine if the council swings far right someday, this could go in the opposite direction.

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Date: Tuesday, April 19, 2022 12:02:01 PM

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SpeakUp

New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

T C submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: I strongly oppose. The owner should have the full right to sell to whom ever they wish and it is very disappointing to see millions being spent here when there are CLEARLY many other priorities in our city. Why aren€™t those needs fought for this hard? The church in no way has expressed they would alter the historic value of this place. So what€™s the real motive here? What a waste if council representation and OUR TAX MONEY. I don€™t feel heard or represented€. What a shame.

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To: Clerk; Amanda Martin
Subject: New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting
Date: Tuesday, April 19, 2022 11:46:58 AM

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SpeakUp

New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Elsa Martinez submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: I strongly oppose. Misusing peoples tax money to satisfy personal greed and pride is 100% wrong.

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SpeakUp

New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Janise Buck submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: As a long-time resident of Fresno, I support the Tower Theater being purchased by the City of Fresno and continuing to be a historic venue for arts and culture in Fresno. Allowing a church to purchase this building, to rezone it would destroy the central heartbeat of art and culture in Fresno. Tower Theater has long been a literal beacon of the thriving arts center of Fresno.

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From: noreply@granicusideas.com
To: Clerk; Amanda Martin
Subject: New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting
Date: Tuesday, April 19, 2022 11:38:39 AM

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SpeakUp

New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

J V submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: Strongly oppose the interference of the City. The incompetent self-important bureaucracy called the City Council needs to find a different project to waste millions of tax payer dollars on.

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Date: Tuesday, April 19, 2022 11:31:30 AM

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SpeakUp

New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Lexy Gribaudo submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: I strongly oppose the city€™s attempt to purchase the Tower Theater.

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From: noreply@granicusideas.com
To: Clerk; Amanda Martin
Subject: New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting
Date: Tuesday, April 19, 2022 10:56:26 AM

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SpeakUp

New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Alissa Pina submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: I strongly oppose the City of Fresno trying to purchase the Tower Theater.

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From: noreply@granicusideas.com
To: Clerk; Amanda Martin
Subject: New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting
Date: Tuesday, April 19, 2022 10:49:05 AM

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SpeakUp

New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Stella Ayala submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: Don€™t we at Adventure Community Church count too? We are a positive community of people for the city of Fresno.

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From: Pamela Pokrovsky
To: Clerk
Subject: Meeting Thursday April 21, 2022 @ 9am. Item number ID 22-613 opposed!
Date: Tuesday, April 19, 2022 11:35:09 PM

External Email: Use caution with links and attachments

Dear Honorable City Council Members,

I am opposed to the purchase of the Tower Theatre by the City of Fresno. The City does not need to be in the Theatre business. I have attended many events at the Tower Theatre through the years, however, I do not wish my tax dollars to go towards purchasing it. The theatre's ownership should reside with a private individual or organization, not with the City.

Our neighborhood waited 15 years for the City and developers to fulfill promises of a neighborhood park with playground, because there was never any money to fund it. We finally got a park half the proposed size with no playground; just 5 exercise stations, a midget size basketball hoop, and an odd shaped piece of grass that is not conducive for soccer or football. I don't understand how a City that chronically has shortage of money when it comes to investing in neighborhood playgrounds, now suddenly has the money to buy a private Theatre.

In addition, if the Tower Theatre is going bankrupt, or can't find a buyer, it is not the City's responsibility to jump in and purchase it. Purchasing the Tower Theatre would be a precedent the City can't afford to set. The public does not need to be saddled with this financial burden. Please do not approve this purchase.

Sent from Yahoo Mail for iPad

From: noreply@granicusideas.com
To: Clerk; Amanda Martin
Subject: New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting
Date: Tuesday, April 19, 2022 10:46:09 AM

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SpeakUp

New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Kassie Carbajal submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: I oppose the interference of this sale and the use of tax dollars in this manner.

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From: [redacted]
To: Clerk
Subject: April 21, 2022 meeting ID 22-613 opposed to purchase of Tower Theatre
Date: Wednesday, April 20, 2022 8:23:37 AM

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I am opposed to the City of Fresno purchasing the Tower Theatre. There must be an alternative that can be worked out with the church that already offered to buy it, the owners, and the community to satisfy its protection as a historical building. It is not the City's purview to purchase private businesses.

$6.5 million dollars not just small change. If the City has a surplus of money, there are many services or infrastructure issues within the entire City that could be aided by this money. If there is not a surplus, why is the City offering almost 2 million dollars more than the previous offer to buy the Tower Theatre? In addition, $6.5 million is only the startup cost. The City will have to maintain the facility for years to come. If the Tower Theatre is in financial straits, will it be more financially successful under City management, or will the rest of Fresno have to spend out tax dollars to keep it going while we are told there is no money in the budget for the needs in our districts?

Please vote no on the proposed purchase of the Tower Theatre.

Sincerely,
A Pokrovsky

Sent using the mobile mail app

From: Dawn Brown
To: Clerk
Subject: Tower
Date: Monday, April 18, 2022 6:21:19 PM

External Email: Use caution with links and attachments

Keep tower queer. Keep the tower theater as tower inspired not church inspired. We want the tower back!

From: noreply@granicusideas.com
To: Clerk; Amanda Martin
Subject: New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting
Date: Monday, April 18, 2022 12:54:13 PM

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SpeakUp

New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Chris Williams submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: I do not support the city interfering with an active escrow transaction. I do not want my tax dollars going to such divisiveness. It is not the City€™s job to interject themselves into a lawful transaction. The city is opening themselves to a massive amount of litigation that will likely cost our taxpayers millions of dollars. Very poor look on the city. We won€™t forget.

View and Analyze eComments

This email was sent from https://granicusideas.com

From: noreply@granicusideas.com
To: Clerk; Amanda Martin
Subject: New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting
Date: Monday, April 18, 2022 12:53:56 PM

External Email: Use caution with links and attachments

SpeakUp

New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Bethany ChongGum submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: I strongly oppose the city€™s purchase of the Theater because they have no ability to maintain it and local taxpayers will be footing the bill for the millions of dollars in not only the purchase price, but also the legal fees that the theater owner has incurred. This would not be a smart financial, cultural, or political decision for the council to make. The theater is currently being very well maintained and updated by its current tenants, and would benefit from their continued occupancy.

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From: noreply@granicusideas.com
To: Clerk; Amanda Martin
Subject: New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting
Date: Monday, April 18, 2022 1:08:46 PM

External Email: Use caution with links and attachments

SpeakUp

New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Vanessa Zuniga submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: I do not agree with the city€™s acquisition and interference with a private sale. Everybody€™s tax dollars shouldn€™t be going towards a theatre purchase, a purchase out of emotions and lies. Our tax dollars should be going towards things that can benefit Fresno.

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From: noreply@granicusideas.com
To: Clerk; Amanda Martin
Subject: New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting
Date: Monday, April 18, 2022 1:08:53 PM

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SpeakUp

New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Naomi Villanueva submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL, ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: I do not support the City€™s purchase of the Theater. Tax payers will be fitting the bill to keep an old building up to code, maintenance and utilities. This building will go into disarray just like other buildings that are now vacant because the City cannot afford the upkeep. Tax payer money should be going to things that actually matter and make a difference to community like education and health.

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From: noreply@granicusideas.com
To: Clerk; Amanda Martin
Subject: New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting
Date: Monday, April 18, 2022 1:11:55 PM

External Email: Use caution with links and attachments

SpeakUp

New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Ben Leafa submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: City should not have that type of power to interfere whenever they feel. Bad look on the city to get themselves in a case to fund one business owner with taxpayer money instead of funding education or the community as a whole.

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To: Clerk; Amanda Martin
Subject: New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting
Date: Monday, April 18, 2022 1:12:26 PM

External Email: Use caution with links and attachments

SpeakUp

New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Anita Sandoval submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: This just isn€™t right.

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From: noreply@granicusideas.com
To: Clerk; Amanda Martin
Subject: New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting
Date: Monday, April 18, 2022 1:13:58 PM

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SpeakUp

New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Rachael Navarro submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: I strongly oppose the sale of the tower theater to the City of Fresno. The city has shown again and agin they do not maintain arts buildings or theaters. I do not want my taxpayer dollars footing someone else€™s legal fees. This is a complete overstep from the city and should NOT pass.

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To: Clerk; Amanda Martin
Subject: New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting
Date: Monday, April 18, 2022 1:14:15 PM

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SpeakUp

New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Alyssa Hamett submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: I support the City purchasing the Tower Theater. This prevents private ownership of the theater and allows the city and community to preserve the historic site. A private sale could trigger a rezone which would negatively impact so many businesses in the tower community.

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From: noreply@granicusideas.com
To: Clerk; Amanda Martin
Subject: New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting
Date: Monday, April 18, 2022 1:20:34 PM

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SpeakUp

New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Monique Cuevas submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: I strongly oppose the sale of the tower theater to the City of Fresno. The city has shown again and agin they do not maintain arts buildings or theaters. I do not want my taxpayer dollars footing someone else€™s legal fees. This is a complete overstep from the city and should NOT pass.

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From: noreply@granicusideas.com
To: Clerk; Amanda Martin
Subject: New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting
Date: Monday, April 18, 2022 1:20:25 PM

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SpeakUp

New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Raquel Carraway submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: Before purchasing another costly property, our City should take into account how well they have stewarded the proprieties in their possession already. I think of the Fresno Memorial Auditorium, how has that been treated over the years, what renovations have been made?

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From: noreply@granicusideas.com
To: Clerk; Amanda Martin
Subject: New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting
Date: Monday, April 18, 2022 1:24:12 PM

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SpeakUp

New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Jim Campbell submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: I'm against the City Buying The Tower Theater and I'm against the City interfering with The Sell of the Theater to Adventure Church for which The Church is in escrow to buy the Theater. It's not the cities business to run a Theater when they can't even run the City. When City property is in decay and when the city is already embroiled in the lawsuit with Granite Park. This is just bullying of a Church plain and simple. Stop this Ridiculous idea of trying to buy a Theater and stepping on the church just to appease a small group for votes or for a land grab for the parking. Thank you Sincerely Jim Campbell Citizen and Member of Adventure Church

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From: noreply@granicusideas.com
To: Clerk; Amanda Martin
Subject: New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting
Date: Monday, April 18, 2022 1:22:19 PM

External Email: Use caution with links and attachments

SpeakUp

New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Julian Amparo submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: I oppose the City of Fresno interfering with the sale of a pending escrow of Tower Theatre to Adventure church. The sale plus all legal fees ending upwards of 20 million dollars from measure P. When all is said and done taxpayers money can be used towards improving the Tower community in so many other ways in what the focus of the money should be obtained.

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From: noreply@granicusideas.com
To: Clerk; Amanda Martin
Subject: New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting
Date: Monday, April 18, 2022 1:25:37 PM

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SpeakUp

New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Marissa Pina submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: I strongly oppose the City purchasing the tower theater as they have no right to purchase out of emotion and feelings. I do not want my tax payer dollars to go to a theater when there are far more important things that yet haven’t been completed due to the lack of the cities promises. The historic theater will always remain as a historic building no matter who owns it.

View and Analyze eComments

From: noreply@granicusideas.com
To: Clerk; Amanda Martin
Subject: New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting
Date: Monday, April 18, 2022 1:25:39 PM

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SpeakUp

New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Kelly Rennie submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: I support the city buying the tower.

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From: noreply@granicusideas.com
To: Clerk; Amanda Martin
Subject: New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting
Date: Monday, April 18, 2022 1:30:49 PM

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SpeakUp

New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Alissa Pina submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: I Strongly oppose against the city purchasing the Tower Theater.

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SpeakUp

New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Erin Webster submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: City of Fresno, please purchase the Tower Theater. It is iconic and has no place in the hands of a church. It belongs to the community and to the arts.

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SpeakUp

New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Teresa Barrera submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: I absolutely do not support the city purchasing the tower theatre with my tax dollars. Theres so much more going on in our city that my tax dollars can be used for. The city of Fresno has no right to use their power of authority to use our tax dollars any way they choose. Taxpayers need to know how our tax dollars are trying to be used to pay lawyers fees and everything else the city misuses our tax dollars for.

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New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Jonathan Cuevas submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: I oppose the city€™s acquisition of the theater. They have been extremely disingenuous throughout the sale to Adventure Church. Adventure has done nothing but bring value to the theater since they€™ve been there!

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New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Rudy Solis submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: I strongly oppose to the city purchasing the tower theater!

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New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Audrey Aparicio submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: Oppose

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New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Brina Harwood submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: To say I oppose the City of Fresno€™s (COF) purchase of the Tower Theatre and pay the legal fees of Mr. Abbate and Sequoia Brewing is an understatement. COF has not operates in good faith and has made every attempt to illegally interfere with the private purchase of the sale of the building since at least the initial meeting between Mr. Abbate and Councilmembers Arias and Soria. COF does not have a history of maintaining the facilities it has. An example would be the Memorial Building where it was published the building would require more than $1M of repairs. COF does not have a history of making good business choices. A current examples would be the Granite Park debacle and the more than half million dollars it was scammed out of and kept secret. COF is currently being investigated for corruption in its operations. The people of the City of Fresno can no longer stand by as it €™s elected leaders

continue to squander tax dollars and run our City name through the mud. Councilmembers should be looking to clean up existing messes and taking care of its existing facilities in lieu of creating a new legal mess paying legal fees for interfering in a real estate private sale.

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New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Cassandra Cook submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: strongly oppose. These council members have shown they are frauds and are quick to use taxpayers dollars on things as they please that brings nothing back into our communities only for their own benefit and gain. They have not stewarded any funds properly or legally and I€™d hate to see them take ownership of a historical building and them treat it as they€™ve treated the rest of Fresno.

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SpeakUp

New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Samuel Harwood submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: I oppose the city getting involved in this matter and making a bid for the purchase of The Tower Theater.

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New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Desiree Lopez submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: I strongly oppose the sale of tower theater to the city of Fresno. The city of Fresno can€™t even take care of the buildings it does own. I€™m ashamed of our city council and the lies that come from them. They should focus more on the real problems we have in our city. Like the crazy rising prices of everything that are causing more people then ever to be homeless. They need to put our tax dollars to good use and stop attacking a church that loves on everyone despite their personal preferences. These city officials should be ashamed of their terrible actions.

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New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Irene Forbis submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

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eComment: Adventure is improving Tower and never wants to change events and concerts from happening.

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New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Sara Rima submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: The church seems to be making a legal sale and this is a waste of tax payer money for the city to purchase a building that could be privately owned. This has nothing to do with the sale of a private property. If this was a church trying to stop a bar from purchasing property this would be a Supreme Court issue. The fact that the city would be willing to step in and spend so much money on an issue it has no right in is embarrassing and unethical.

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New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Ruben Navarro submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

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eComment: I do not support the City purchasing the Tower Theater. The City cares about this theatre as much as it does the homeless who sleep under its marquee.

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New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Greg Guerra submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: I support Adventures purchase. The city has no place in this purchase and should take its hands off of private dealings!

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New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Desirae Gomez submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: Strongly oppose. It is illegal for the city to interfere with a private sale. The illegal and fraudulent activity of the city council members will be exposed.

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New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Teresa Barrera submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: I absolutely do not support the city of Fresno using my tax dollars for lawyers fees. Our church in the tower theatre has been the best thing that has happened here in fresno. GOD will have the final say so in all this

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SpeakUp

New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Ben Leafa submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: I do not support the theater being bought by the City. The City doesn€™t even take care of what it already owns. Their trash can is already full and the tower theater doesn€™t belong in it.

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SpeakUp

New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Alejandro Trevino submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: The city is setting a bad precedent Interfering with the sale of private property. It has no reason to get involved and interfere with the sale. Diverting millions in tax dollars that could be put to better use.

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New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Carlos Navarro submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: You folks need to stop spending tax dollars on your own agendas. I will be doing everything in my power to remove you crooks out of office. Leave God fearing people alone.

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SpeakUp

New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Lia Dewey submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: I support the city owning the tower theatre!! Please don€™t let Adventure Church disrupt what a safe haven the Tower district is for the LGBTQ and artistic communities!

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SpeakUp

New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Rebecca Martinez submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: The city€™s interference with a private property sale is wrong, sets a dangerous precedence and the city council should be held accountable for their egregious actions. This in no way should be legal and is not what I want to be paying for with tax money! How does Sequoia get a loan from the city and that is ok!? Ridiculous!

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New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Zay Sandoval submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: Strongly oppose of what the city is trying to do. This is a private sale yet the city continues to interfere illegally. Adventure is investing into tower and doing nothing bad. Council members are shady and this decision is showing their true colors

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SpeakUp

New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Diana Diehl submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: Fully support this purchase even with the City's very spotty track record. For months the Tower District has had its very existence threatened by the unlawful use of the Tower Theatre in violation of existing zoning regulations. The entertainment industry is already struggling thanks to the pandemic. Since the religious organization inserted itself, Tower residents have been subjected to anti-LGBTQ protests, had White Nationalists sitting in cars parked outside our homes weekly, and the church itself has made very clear their specific intent to change the character of the area. The City has aggravated this issue and allowed it to continue for over a year. City ownership of the Tower Theatre will finally resolve this issue and remove the threat to the local nightlife industry while ensuring that the Theater and the District remain relatively free of bigotry.

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SpeakUp

New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Melinda Aguirre submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: I oppose the city getting involved in this matter and making a bid for the purchase of The Tower Theater, very unethical and unnecessary!

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SpeakUp

New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Mel Lopez submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: I strongly support the city purchase of the Tower Theatre. City ownership will allow for the theaters history and meaning to be preserved. The Tower was built to be a place of Art and Culture, and we need to return to that line of thought!

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New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Elizabeth Mendoza submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: I strongly oppose the city interfering with the legal sale of the Historic Tower Theater. I do not agree that my tax money be wasted in this way. Adventure Church has been noble and honorable, making beneficial improvements to the building since they€™ve been in it. Their character has shown and their love for the community is felt. Shame on you Fresno City Council Members and Mayor Dyer. Use your time and our money elsewhere, for the homeless, for the drug problem and for our children in this community. Let Adventure Church continue to be the good upstanding people they are.

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New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Ilene Lopez submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: I oppose the city interfering in the private sale of the tower theatre to adventure church.

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New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Sabrina Acosta submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: This is wrong!!

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New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Smiley Calderon submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: I want the City to buy this historical and iconic theatre to secure the Tower District atmosphere and businesses

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New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Jim Campbell submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: I Strongly Oppose The City Interfering With Our Church buying the Tower. We're already in Escrow. It's Just Bullying of a church by A Big City to Appease A Few or for a Land Grab for Parking Spaces. The City is corrupt everything they run is in ruin and they're already embroiled in a Lawsuit with Granite Park. Why not do your job and do something about people dropping dead from. Fentanyl overdoses. The homeless and the trash left everywhere. Rising murder rate, the dark streets in the less Northern part of the city. What God Wants he'll get and A Church like Adventure is needed in the midst of a poor crime infested, homeless populated, Perverted spot of Fresno. Leave our Church Lone. We've done nothing wrong. God will not be bullied

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To: Clerk; Amanda Martin
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New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Destani Gerbrandt submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: I strongly support the city buying Tower Theatre. A historical landmark in our city should be treated as such. Preservation and restoration of our Tower and downtown communities have proven successful, profitable, and promoting pride in Fresno!

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SpeakUp

New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Selma K submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: I oppose the city on interfering with the sale of the tower theater to Adventure Church. Adventure church has done nothing but pour into the Fresno community , it€™s members and the theater itself .

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SpeakUp

New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Rosanna Roque submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5 Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: I do not support the city€™s misuse of power and money to interfere with Adventure purchasing the Tower Theatre. My tax dollars are better spent elsewhere, such as our Children€™s education, improvement in low poverty homelessness.

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SpeakUp

New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Jaime Larios submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: I definitely do not appreciate the bullying from those leading the effort to interfere with Adventure Church's legal purchase of the Tower Theater.

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New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Estevan Jimenez submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: Keep tower weird!

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SpeakUp

New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Elaine Guzman submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: I strongly oppose the City of Fresno€™s purchase of Tower Theater. The City of Fresno is interfering in a private sale and its interference is a misuse of taxpayer money.

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SpeakUp

New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Elizabeth Castillo submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: oppose

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SpeakUp

New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Michael Danielsen submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: My tax dollar should go to something better like homeless, addictions, or parks.

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SpeakUp

New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Kylee Feist submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: Pleaae support the buying of the Tower Theater and turning it into a historic landmark. Culture needs to be preserved!

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New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Jason cole submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: I oppose the city stepping in and trying to purchase the theater which is already in escrow. Where were the people who cared so much about tower at when Lawrence couldn't afford to keep the doors open any longer? Those people and the city are trying to intimidate and push adventure church out of a sale that is already in escrow. The council members only "care" cause it appeals to those in their area and makes them look good. Mayor Jerrry Dyer knows the truth & what should be done but is a coward and obviously a false Christian. Anyone in the right mind should not be ok with the city using their tax dollars to illegally push adventure church out of a private sale and purchase the theater. My tax dollars should be used for the list of things this city needs other than bullying a church out of a building they care more about than those who oppose the churches attempt to purchase.

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SpeakUp

New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Nicole Fitzpatrick submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: The Tower Theatre is a cultural landmark and purchasing it to protect it is simply logical stewardship of one the city€™s iconic architectural treasures.

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New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Fanny Perez submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: I oppose the city of Fresno trying to buy tower theater!!!! All those nasty protesters outside on Sundays is ridiculous go get a life people live the church alone I€™m seriously gonna call channel 21 and have them come out so they can see how nasty you guys are leave our church alone do some research find out what adventure is all about !!!!!

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New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Chelsea Beeson submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: I full heartedly support this purchase. The tower theater is a cultural landmark and the heart of Fresno€™s most vibrant neighborhood. I think we should preserve the theater and maintain current zoning laws to ensure the integrity of Tower for years to come.

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New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Cynthia Moreno submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: Pastor Anthony and Pastor Mandy are amazing Pastor's ï¿½Ÿ™ and amazing people our congregation is filled with amazing peopleï¿½ ï¿½ I have meet my husband and he invited me to Adventure Church ï¿½Ÿ˜‡ since then my life has been so Blessed ï¿½Ÿ™Œ

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SpeakUp

New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Thomas Giddings submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: This should be a no brainer for the City of Fresno. Any vote against the City€™s purchase of this landmark is the City Council admitting that they will no longer enforce zoning law through out the rest of the city or county. While there is nothing wrong with allowing another church in this City. Allowing a church to flaunt that they are not held to the laws of this City is a disgrace to every tax paying citizen.

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New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Bosquez Priscilla submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: My family and I oppose the City of Fresno buying the Tower Theater. We believe Adventure Church is bringing light and truth into this community, I can only say this from the personal impact Adventure Church has had in our lives as a family in this community. Although we are harnessed every Sunday from people that don€™t know us, Adventure continues to love the people, invites everyone. And says, Come as you are! My family has always been excepted and loved!! Thank you Adventure Church, Pastor Anthony and Mandy, we stand beside you, and love you both very much, and all Pastoral Staff!! God always wins!!

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Subject: New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting
Date: Monday, April 18, 2022 8:06:40 PM

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SpeakUp

New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Kelsey Deroian submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: The Tower Theater is a historic landmark for Fresno and needs to be treated as such!

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SpeakUp

New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Desiree Rodriguez submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: Adventure church has been in tower for over 10+ years. Adventure Church and bring light to the community.

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SpeakUp

New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Ruben Rodriguez submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: God prevails

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New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Doreen Alonso submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: I oppose the city from interfering with the sale of the Tower Theatre. Adventure Church has been and will continue to be such a great asset to the community. It€™s such a shame that our children have to witness these protesters every Sunday.

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SpeakUp

New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

A R submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL, ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: My tax dollars are being wasted by city council members who only want power and money. Making false promises and accusations. Wolves in sheep clothing. I support Adventure Church in their purchase of the Tower Theatre. God€™s Glory.

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New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Charles Taito submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: I believe the city of Fresno should focus on fixing problems like prostitution that is still happening in Fresno and homeless a lot of families are on st

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SpeakUp

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Brittney Jennings submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: I support the city purchasing the Tower Theater.

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SpeakUp

New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Lupe G submitted a new eComment

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: I oppose city purchase of Tower Theater.

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New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Vincent Zuniga submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: I strongly disagree with City of Fresno purchasing Tower Theatre.

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New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Kim Vasquez submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: I oppose the city wasting tax payers money purchasing the Tower. Adventure Church is still in escrow and has the right to purchase the Tower. The Tower District needs Adventure Church! Jesus went where he wasn’t wanted too.

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New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Angel Alonso submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: City of Fresno, leave the church alone and use my tax dollars to fix something else ex. Streets&Homeless. The church is only there 1 day out of the week and your upset about it?

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New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Nicole MacIntosh submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: I strongly oppose the city€™s purchase of the Tower Theatre.

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New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Brett MacIntosh submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: The city has been planning the takeover as soon as they heard that Adventure Church was going to buy the property. Also, the church needed to rezone to have church in that area but when the city buys it they don€™t need to rezone to have church there. Why is that a thing?

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New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

R Harwood submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: I 100% Oppose the City stepping in to purchase The Tower Theater. This deal stinks. If once owned by the City, you can forget about ever renting the Theater out for Local Shows and Events unless you€™re willing and able to pay 8-10 thousand dollars. Forget about the 2,500-3,000 deals made with private ownership for shows on Thursday or Friday nights. This is a death blow to the arts in the area as we know it. Besides all this nonsense is based on a false narrative anyway. There was never a need for zoning change. Liquor Licenses and Conditional Use Permits were never at risk. The Theater was always intended to stay just that€ A Theater! The historic Tower Theater has gone through many updates and upgrades over the last year. The Church as I€™ve always understood it intended to keep it a Theater and have its Services there Sunday Morning €™s. What is the harm in that?!?!?! Absolutely

None! This isn’t about the Private Sale of The Theater to a Religious Organization. It’s about control. The City knows how valuable that parking lot is to The Tower District. That’s why they’ve been working under the radar since last January to acquire it. I think our Tax Dollars should be spent more constructively dealing with the issues of Crime, Homelessness and Environmental Governance. Instead of blocking the sale of the Tower Theater to Adventure Community Church.

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New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Elizabeth Guzman submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: Pastor Anthony and Mandy have built a strong congregation. A place to call home for so many broken souls. We are so thankful to them and his assistant Pastors who have made a difference in our lives.

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Date: Monday, April 18, 2022 9:52:01 PM

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SpeakUp

New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Jacob Delano submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: Preserve this historical land mark! The neighborhood is in support of this legislation!

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SpeakUp

New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Just Me submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: What is your problem interfering in any sale? I believe any owner should be able to sell to whoever they want. 6 billion dollars should be used to better Fresno not to stop the protest of a few. Tower protesters will regret your interference. They just don't know it yet. God bless us all.

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From: noreply@granicusideas.com
To: Clerk; Amanda Martin
Subject: New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting
Date: Monday, April 18, 2022 10:35:28 PM

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SpeakUp

New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Angela Liles submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: I strongly oppose the city of Fresno€™s move to purchase Tower Theater. There€™s so much people are listening & believing than the actual truth. I support our Church, our Pastors, our church family! We are a family community & I will continue to Pray & show Love for our church!

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Date: Monday, April 18, 2022 10:45:21 PM

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SpeakUp

New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Walter Krentz submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: I oppose the city attempting to illegally purchase the tower theater.

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To: Clerk; Amanda Martin
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SpeakUp

New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Samantha Marcogliese submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: I think it's disgusting to watch our city try to back handily steal a church. This is like a corrupt movie.

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Date: Monday, April 18, 2022 11:02:41 PM

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SpeakUp

New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Geoff Johnston submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: The city's money (our money) is just better spent elsewhere at this time. First, this is a gross misuse of measure P funds that were originally intended to produce and maintain much needed green space in the City of Fresno. The City of Fresno has a horrible (sorry guys you do) track record of owning, managing and maintaining entertainment venues profitably. Our tax dollars need to be focused on education, infrastructure and crime prevention. This is a complete and total waste of taxpayer resources given the current state of our city. There are other methods to ensure the property is preserved and maintained as a historic landmark without the City outright owning the property. Additionally, the resolution only represents an intent to purchase. The sponsoring council members have not produced an operations plan to demonstrate how they intend operate and manage the facility profitably and fairly as an equally

shared community asset. They have also not produced an estimation of short and long term costs associated with owning and managing a historic property in accordance with appropriate preservation standards. This feels more like a decision being made out of political and cultural spite and not a smart financial decision for taxpayers when we're likely at the cusp of an economic downturn. Fresno Metropolitan Museum anyone?

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SpeakUp

New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Julie Pirkle submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: In strong opposition of City purchasing the Tower Theater as a way to stop Adventure Church from purchasing the property. First, the church would make a great tenant. Second, it's disheartening that the city would move to stop a private sale after being motivated by opposition from the left/protestors and for their own personal gain at the taxpayers' expense. Taxpayers have enough on their plate without adding another unnecessary expense/taking away funds from areas where they could be better used. Seems like a blatant misuse of power. I believe that Adventure Church would be better equipped to maintain the property and use it positively for the community.

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From: noreply@granicusideas.com
To: Clerk; Amanda Martin
Subject: New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting
Date: Monday, April 18, 2022 11:34:51 PM

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SpeakUp

New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Jon C submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: I support this - the community benefits will provide fantastic return on investment.

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To: Clerk; Amanda Martin
Subject: New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting
Date: Tuesday, April 19, 2022 10:20:13 AM

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SpeakUp

New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Neil Richardson submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: I strongly oppose of the city of Fresno using tax payer dollars to buy a theater when our city has a huge homeless and crime problem and streets covered in pot holes. Do what you were voted in to do first and then maybe we can talk about purchasing entertainment venues.

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To: Clerk; Amanda Martin
Subject: New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting
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SpeakUp

New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Giselle Venegas submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: Why is the city using our tax dollars and willing to pay more then the value of the cost. Instead of buying a building that is be occupied by people who are doing a good for the city. Why not use our tax dollars on the homeless or the huge drug problem we have. millions of dollars being missed used by city.

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From: noreply@granicusideas.com
To: Clerk; Amanda Martin
Subject: New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting
Date: Tuesday, April 19, 2022 10:18:51 AM

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SpeakUp

New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Halona Palmer submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: I support the church's fair and legal purchase of the Tower. They would pose no threat to the area and could only uplift and enrich the culture that is already in place. It is clear theyre desire is for good and wholeheartedly full of love. Lets support Adventure since there would be no harm involved with them remaining there!

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Date: Tuesday, April 19, 2022 10:16:26 AM

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SpeakUp

New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Marcus Cardenas submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: Because of this community and its accepting neighborhood, I was able to come out when I was 16 and march with my partner hand in hand during pride parade. That was 11 years ago. Just like how the older generations paved the way for equality and acceptance in such a historic area, the tower theatre has since and will always be my €œsafe space€ and now It€™s our job to continue making tower theatre that safe space for ANY young lgbtq+ member..

View and Analyze eComments

From:	Jonathan Navarro
To:	Clerk
Subject:	I Support these PARCS & Measure P FY22-23 Budget Priorities
Date:	Monday, April 18, 2022 2:13:43 PM

External Email: Use caution with links and attachments

Dear Fresno Parks, Recreation, & Arts Commission and Fresno City Council,

My name is Jonathan Navarro. I am a Fresno resident and I stand in solidarity with the Fresno Parks Advocates United and fully support their City of Fresno Fiscal Year 2022-2023 Budget Recommendations.

The recommendations are as follows.

1) $5,000,000 for a Participatory Budgeting engagement process.
2) $300,000 for a Youth Activities Fee Waiver Voucher Program.
3) $75,000 to conduct a Representative Sample Survey.

Sincerely,

Jonathan Navarro

From: noreply@granicusideas.com
To: Clerk; Amanda Martin
Subject: New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting
Date: Tuesday, April 19, 2022 10:31:07 AM

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SpeakUp

New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Eric Cantley submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: The city has 6 + million to spend on a Theater, but I'm driving on roads that look like swiss cheese because of so many potholes. If they maintain the theater like they maintain our roads it will be falling down in 10 years. I don't want my tax dollars going to this theater purchase.

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From: noreply@granicusideas.com
To: Clerk; Amanda Martin
Subject: New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting
Date: Tuesday, April 19, 2022 10:28:15 AM

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SpeakUp

New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

Kelsey T submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: I fully support Adventure Church purchasing tower theater. If you only knew the people from adventure church, you would know that they never hate on anyone. They welcome anybody with open arms. They love God, love people, and make connections. This is an amazing opportunity to bring love to Fresno!!

View and Analyze eComments

This email was sent from https://granicusideas.com

From: noreply@granicusideas.com
To: Clerk; Amanda Martin
Subject: New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting
Date: Tuesday, April 19, 2022 10:25:43 AM

External Email: Use caution with links and attachments

SpeakUp

New eComment for City Council on 2022-04-21 9:00 AM - Regular Meeting

D R submitted a new eComment.

Meeting: City Council on 2022-04-21 9:00 AM - Regular Meeting

Item: 1.-LL. ID 22-613 Actions Pertaining to the Acquisition of property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines for the project. 2. Approve a Resolution Establishing a Policy for the Preservation and Use of the Tower Theatre Property and Authorizing Purchase of the Tower Theatre Property. 3. Approve a Joint Litigation, Defense, and Indemnity Agreement by and between the City of Fresno, the Tower Theatre Entities and Sequoia Brewery 4. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno, Tower Theater Productions, Fidelity National Title Insurance Company, and Tower Theatre Productions for the Performing Arts for real property at 1247 North Wishon (APN 451-265-02) and 777 East Olive Avenue (APN 451-265-03) for $6,500,000. 5. Approve a Purchase and Sale Agreement and Joint Escrow Instructions by and between City of Fresno and J&A Mash & Barrell, LLC., and Fidelity National Title Insurance Company for a portion of the real property at 777 East Olive Avenue (APN 451-265-03) for $1,200,000.

eComment: Taxpayers should be concerned that the funds to purchase, run and maintain the Tower Theater will come from all our pockets. Six million dollars is better spent on maintaining, beautifying, providing protection for the city. Not to purchase a theater to quiet a small group of protesters. Adventure Church has been an asset to the owner and the surrounding businesses for the past two years. No harm has been done yet the church has been met with aggression and negativity. Please make a wise decision and avoid a negative financial impact on the city

View and Analyze eComments

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April 20, 2022

VIA ELECTRONIC MAIL

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Re: Tower Theatre Property
Our File No.: 40510-1
Fresno City Council Meeting
Date: April 21, 2022
Time: 9:00 a.m.
Location: Fresno City Hall

Dear Councilmembers:

On behalf of ADVENTURE CHURCH, Inc. (the "CHURCH"), we respectfully request that the City Council carefully review this letter (and exhibits) prior to entertaining a vote to acquire the Tower Theatre Property at the Fresno City Council Meeting on Thursday April 21, 2022. A vote to acquire the Tower Theatre Property will result in the interference with the CHURCH's active purchase agreement to acquire the Tower Theatre Property.

RELEVANT BACKGROUND

A. The CHURCH's Right to Purchase the Tower Property.

On or about September 29, 2020, the CHURCH and the Tower Parties (Tower Theatre Property owners) executed a written Purchase Contract whereby the CHURCH would acquire from the Tower Parties, the Tower Theatre Property. The CHURCH agreed to pay $3,900,000.00 to the Tower Parties for the Tower Theater Parcel. A true and accurate copy of the initial purchase agreement is attached as **Exhibit "1"** (the "Original PSA"). The CHURCH and the Tower Parties subsequently amended the Original PSA on or about October 7, 2020, so that the CHURCH would also acquire the Me-n-Eds Parcel. The CHURCH agreed to pay $4,815,000.00, for the entire Tower Theatre Property. True and accurate copies of the Addendums are attached as **Exhibit "2"**. The Original PSA, together with the Addendums, are referred to herein as the ("Purchase Contract").

In connection with the Purchase Contract, the Tower Parties prepared and executed a Property Information Sheet, and Seller's Mandatory Disclosure Statement, copies of which are attached hereto as **Exhibits "3"** and **"4"**, respectively. The Purchase Contract required the Tower Parties to clear any encumbrances of record, including any

option rights. Section No. 11, of the Property Information Sheet (**Exh. "3"**), was responded to by Tower Parties as follows:

> *11. **Unrecorded Title Matter**. Owner has no actual knowledge of any encumbrances, covenants, conditions, restrictions, easements, licenses, liens, charges or other matters which affect the title of the Property that not recorded in the office records of the county record where the Property is located, except (if there are no exceptions write "NONE"):*
> ***NONE***

Mr. Abbate and the Tower Parties failed to disclose the existence option rights allegedly held by J&A MASH & BARREL, LLC ("J&A").

In November 2020, during the due diligence period, the CHURCH discovered that J&A potentially had an option and/or first right to purchase its Premises ("the Brewery Premises") from the Tower Parties pursuant to a Lease, a copy of which is attached as **Exhibit "5"**. The Brewery Premises is not presently separately divided from the Tower Theater Parcel, meaning if the Brewery Premises was to be sold separately from the remainder of the Tower Theater Parcel, it must be parceled out and established as an independent parcel. The Lease between J&A and the Tower Parties includes language that obligates J&A and the Tower Parties to take steps to parcel out the Brewery Premises from the Tower Theater Parcel to allow J&A to buy the Brewery Premises if it so desires.

On or about early November 2020, the CHURCH representatives asked about the potential option tied to the Brewery Premises, Mr. Laurence Abbate ("Mr. Abbate"), representative of the Tower Parties, verbally informed the CHURCH's representatives that there was "nothing to worry about" and that the "Brewery was not interested in purchasing the Brewery Premises". In reliance, the CHURCH made no further inquiries of this issue as it believed the issue was resolved based on Mr. Abbate's express representations. However, as the close of escrow neared in January 2021, The CHURCH learned that the Tower Parties had potentially failed to make full disclosure to J&A and/or obtained a waiver from J&A of its potential right to acquire the Brewery Premises. The Tower Parties' alleged acts and omissions as it pertains to J&A were not fully discovered by the CHURCH until after J&A filed its lawsuit in February 2021.

In connection with the CHURCH's due diligence under the Purchase Contract, on December 7, 2020, the CHURCH sent an Operational Letter to disclose the anticipated purchase of the Property and planned use of the Property which would continue with the existing use. A copy of the letter is attached hereto as **Exhibit "6"** (the "Request for Zoning Use Confirmation"). The Request for Zoning Use Confirmation submitted by the CHURCH provided the City a statement of operations that stated that it would continue to operate the Tower Theater just as it has been operating for many years with numerous community events including concerts, theater events, and performing arts. The use of the Theatre would not change following the purchase. On December 10, 2020, the City of Fresno responded to the Request for Zoning Use Confirmation, and confirmed that the CHURCH could continue operations of the Property following the purchase. A copy of the letter is attached hereto as **Exhibit "7"** (the "Original Zoning Letter").

Beginning in December 2020, the CHURCH started to receive heavy pressure by activist groups protesting the intended purchase of the Tower Theatre Property by the CHURCH. The CHURCH, its leaders and congregation were/are the targets of false and malicious harassment. They were the target of harassment only because the CHURCH is a Christian organization. After feeling the political pressure, the City of Fresno, by its agent, City Manager Thomas Esqueda, sent a letter date January 5, 2021, revising the Zoning Inquiry letter stating that the CHURCH could not operate in the Theatre as a religious organization, even as an incidental use. A copy of the letter is attached hereto as **Exhibit "8"** (the "Revised Zoning Letter"). The Revised Zoning letter was clearly sent to dissuade the CHURCH from contemplating the purchase of the Tower Theatre Property. However, the CHURCH would not be discouraged and/or intimidated by the City of Fresno's abusive and illegal intimidation tactics.

In response to the City of Fresno January 5, 2021 letter, counsel for the CHURCH sent a letter to the City of Fresno advising the City of Fresno that the City of Fresno was interfering with the CHURCH's legal rights. Counsel for the CHURCH cautioned the City of Fresno that should the City and its officials continue to enforce an unlawful zoning ordinance, make unlawful demands, and seek to disrupt the CHURCH's acquisition of the Tower Theatre Property, the City of Fresno and certain of its individual elected and appointed officials could be held liable for the damages incurred by the CHURCH.

On January 11, 2021, a meeting occurred by the City of Fresno, and Tower Parties' representative, Laurence Abbate. During the meeting the City of Fresno requested terms of the purchase by the CHURCH. The City of Fresno represented to Mr. Abbate that despite the fact the City of Fresno was aware that the CHURCH was under contract with Tower Parties, the City of Fresno was interested in purchasing the Property. The City of Fresno expressed to Mr. Abbate, that if they could not unwind the Purchase Contract, the City of Fresno would explore eminent domain and zoning issues to make it difficult for the CHURCH to operate. Fortunately, Mr. Abbate took notes of this meeting and provided a copy to the CHURCH. A copy of Mr. Abbate's meeting notes are attached hereto as **Exhibit "9"**.

On January 27, 2021, City of Fresno Mayor Jerry Dyer, sent a letter dated the same to the CHURCH asking them to abandon rights under its Purchase Contract and instead accept a possible short term license with the City of Fresno for the Fresno Memorial Auditorium. A copy of the letter is attached hereto as **Exhibit "10"**. When the Mayor Letter was issued, the City of Fresno had actual knowledge that the CHURCH was under contract with the Tower Parties to purchase the Tower Property. The CHURCH did not accept the City of Fresno's offer.

The CHURCH is informed that from January 28, 2021 until February 3, 2021, the City of Fresno held internal meetings discussing options to purchase the Tower Theatre Property. During these discussions the City of Fresno had actual knowledge of the existence of the Purchase Contract. In furtherance of the City of Fresno's efforts to interfere with the Purchase Contract, on June 30, 2021 the City of Fresno filed a Petition for Order Permitting Inspection for Appraisal of the Tower Theatre Property. The

CHURCH believes this was filed only for purposes of intimidating the CHURCH and inducing a termination of the Purchase Contract.

On February 2, 2022, counsel for the City of Fresno sent a letter to counsel for the Tower Parties presenting an offer to purchase the Tower Theatre Property. A copy of the letter is attached hereto as **Exhibit "11"**. At the time this letter was sent the Purchase Contract was still enforceable. At the time this letter was sent, neither the CHURCH, nor the CHURCH's counsel, had taken any actions that could be construed as a cancellation of the Purchase Contract. At the time this letter was sent, the CHURCH had not signed cancellation instructions. At the time this letter was sent, the City of Fresno was aware that the CHURCH was still a party to the Purchase Contract and that the Purchase Contract had not been terminated.

At all relevant times the CHURCH has demonstrated the ability to fund the balance of the purchase price for the Tower Theatre Property. Attached as **Exhibit "12"**, is a lender approval letter dated December 22, 2020. Attached as **Exhibit "13"**, is an updated approval letter dated February 3, 2021. Further, and in accordance with the Sixth Amendment to the Purchase Agreement (**Exh. "2"**) on February 11, 2021, the CHURCH delivered a down payment of $793,500 to Escrow. These amounts are still being held by Escrow. There have never been cancellation instructions requested, or prepared, by any party. The Tower Parties have never provided written notice to the CHURCH that the Purchase Agreement was terminated, and/or expired. Attached as **Exhibit "14"**, is an email dated April 7, 2022, from Sue Meyer, Escrow Officer, confirming the Escrow is still active.

The CHURCH stands ready willing and able to perform. The CHURCH has confirmed in writing that it will allow for the Brewery Property to be parceled out and to be sold to J&A.

THE LIABILITY OF THE TOWER PARTIES

A. Tower Parties Failed to Disclose J&A'a Alleged Option Right.

The CHURCH has performed its duties under the Purchase Contract and is ready, willing, and able to tender the applicable purchase price to acquire the entire Property, inclusive or exclusive of the Brewery Premises (discussed below).

The Purchase Contract required the Tower Parties to clear any encumbrances of record, such as J&A's alleged option rights. Section no. 11, of the Property Information Sheet (**Exh. "3"**), was responded to by Tower Parties as follows:

*11. **Unrecorded Title Matter**. Owner has no actual knowledge of any encumbrances, covenants, conditions, restrictions, easements, licenses, liens, charges or other matters which affect the title of the Property that not recorded in the office records of the county record where the Property is located, except (if there are no exceptions write "NONE"):* ***NONE***

Once the CHURCH discovered the alleged option right in J&A's Lease and brought the same to the Tower Parties' attention, Mr. Abbate informed the CHURCH that it was

nothing to worry about and that J&A was not interested in exercising their alleged right. It was later learned that this was a false statement. The Tower Parties failed to disclose the existence of J&A's alleged option right.

The Tower Parties' conduct amounts to breaches of contract and fraudulent misrepresentations. The Tower Parties, including Mr. Abbate, individually, either intentionally or negligently misrepresented the rights and intent of J&A. Either way, said conduct justifies the imposition of punitive and exemplary damages.

LIABILITY OF THE CITY OF FRESNO

A. The City of Fresno Has Intentionally Interfered with the Purchase Contract between the CHURCH and the Tower Parties.

The City of Fresno's interference with the CHURCH'S exercise of its contractual rights to purchase the Tower Theatre Property are disturbing. At all times the City of Fresno has been aware of the Purchase Contract. Despite this actual knowledge, the City of Fresno engaged in a campaign to frustrate and interfere with the CHURCH's purchase of the Tower Theatre Property.

In December 2020, the City of Fresno Planning Department confirmed the legal rights of the CHURCH to make continued use of the Tower Theatre post-closing. Thereafter, based upon public controversy generated by protesters who objected to the CHURCH's perceived religious doctrine, the City Manager of the City of Fresno reversed the decisions of the professional planning staff and asserted that the CHURCH'S continued ancillary use of the Tower Theater for religious assembly violated the City's ordinances that imposed an express distinct limitation on religious assembly uses versus theatre uses.

This reversal by the City of its intended application of its zoning laws to the religious assembly activities of the CHURCH, together with the totality of the circumstances of the City's conduct in this matter, constitutes an interference by the City of the CHURCH's rights under the Purchase Contract. This interference can be summarized as follows:

(1) Confidential meetings with the Tower Parties' ownership group encouraging a termination of the Purchase Contract;

(2) Arbitrary citations for alleged zoning violations issued against the CHURCH;

(3) Correspondence by the Mayor expressly stating his desire to resolve the controversy by favoring the rights of individuals intolerant to religious exercise, and stating the City's intention to pursue "long and expensive legal dispute regarding the applicability of City zoning laws for the Tower Theater".

(4) Threats to take the Property by eminent domain, including the initiation of pre-condemnation proceedings to garner access to conduct pre-condemnation appraisals;

(5) Written offer to purchase the Property from City Attorney, in direct contravention of the rights of the CHURCH under the terms of the Purchase Contract.

Each of the foregoing intentional acts amount to an intentional interference with the contract. At all times the City of Fresno has been aware of the existence of the Purchase Contract and the CHURCH's willingness and ability to complete its performance of the terms of the Purchase Contract. Despite having this knowledge, the City of Fresno has intentionally interfered with the CHURCH's Purchase Contract to purchase the Tower Theatre Property.

B. The City of Fresno's Conduct Violates the CHURCH's Religious Liberties.

1. Violation of Religious Land Use and Institutionalized Person's Act.

The Religious Land Use and Institutionalized Persons Act ("RLUIPA"), 42 U.S.C. §§ 2000cc et seq. exists to protect the free exercise of religion by prohibiting states and local governments from imposing land use regulations that place a substantial burden upon, or act in a discriminatory manner toward, religious assemblies or institutions. There are two separate facets of these protections, one of which is commonly referred to as the "equal terms" provision, which protects the rights of individuals to gather and worship by treating the use of land by religious assemblies and institutions as 'religious exercise."[1] RLUIPA thereby protects the free exercise of religion by prohibiting states and local governments from imposing land use regulations in a discriminatory manner toward religious assemblies or institutions. RLUIPA also establishes a "substantial burden" standard, which establishes a strict scrutiny standard of review that must be applied in cases of religious land use matters. The City's conduct in these matters constitutes a violation of both such provisions.

a. The Zoning Ordinance Relied Upon By the City to Bar the CHURCH'S Use of the Property for Religious Assemblies Is a Facial Violation of RLUIPA's Equal Terms Standards.

The "equal terms" provisions of RLUIPA provides that "[n]o government shall impose or implement a land use regulation in a manner that treats a religious assembly or institution on less than equal terms with a nonreligious assembly or institution." 42 U.S.C. § 2000cc(b)(1). The Ninth Circuit Court of Appeals has identified four elements of an equal terms claim: "(1) there must be an imposition or implementation of a land-use regulation, (2) by a government, (3) on a religious assembly or institution," and (4) the imposition or implementation must be "on less than equal terms with a nonreligious assembly or institution." *Centro Familiar Cristiano Buenas Nuevas v. City of Yuma,* 651 F.3d 1163, 1170-71 (9th Cir. 2011); *New Harvest Christian Fellowship v. City of Salinas*, ---F.4th ---, 2022 WL 84059, p.6 (9th Cir. 2022). No reasonable dispute can exist that the initial three listed elements exist in this case. Further, it is clear based on the

[1] (Caroline R. Adams, *The Constitutional Validity of the Religious Land Use and Institutionalized Persons Act of 2000: Will RLUIPA's Strict Scrutiny Survive the Supreme Court's Strict Scrutiny?*, 70 FORDHAM L. REV. 2361, 2364-65 (2002).)

applicable RLUIPA standards and the City of Fresno's zoning ordinance that the fourth element is also clearly satisfied.

To demonstrate a violation of the fourth element of RLUIPA's "equal terms" protections, the CHURCH must simply show that the zoning ordinance relied upon by the City to prohibit the CHURCH'S religious assemblies draws an "express distinction between religious assemblies and nonreligious assemblies" (Id.). The Revised Zoning Letter issued by the City Manager on January 5, 2021 relies on the zoning standards set forth in the FMC Chapter 15, Article 12, that govern the Property's Commercial – Main Street) (CMS) zone district. Table 15-1202 of that zoning Code confirms that community and religious assembly that totals 2,000 square feet or more is not permitted in that zone district. However, that same zoning provision confirms that Cinema/Theaters are permitted in that same zone district, without constraint on the total square footage of its operations, provided a conditional use permit is obtained.

The CMS zone district standards thereby make an express distinction between religious assemblies and nonreligious assemblies. The City's standards allow nonreligious assemblies of 2,000 square feet or more to operate with a conditional use permit, while establishing an absolute bar for such operations by religious assemblies. [See generally, *New Harvest Christian Fellowship v. City of Salina, supra,* where the Ninth Circuit recently confirmed that zoning ordinances that permitted theater uses in circumstances where it prohibited religious assemblies was sufficient to establish a prima facie case of a violation of the Equal Terms provisions of RLUIPA. The Court's analysis further held that nonreligious assemblies, such as theatres, are similarly situated to religious assemblies concerning in regard to legitimate and relevant zoning criterion.]

It is also important to note that, if the City determined it would allow the religious assembly uses at the Property subject to issuance of a conditional use permit that may be required theatres, this arrangement would not provide the City an avenue to bar the CHURCH'S religious assembly use of the Property. The Ninth Circuit, in *Guru Nanak Sikh Society of Yuba City v. County of Sutter* 456 F.3d 978, 986-993 (9th Cir. 2006) has confirmed that the failure to issue a conditional use permit will, in circumstances such as this, violate RLUIPA. Specifically, such conduct will violate RLUIPA's prohibitions on governments using zoning authorities to impose "substantial burdens" on the religious exercise of a person or a religious assembly or institution, as further discussed below.

b. <u>The City Has, Based on the Totality of the Circumstances of its Conduct, Further Violated the Provisions of RLUIPA that Bar Substantial Burdens on Religious Exercise.</u>

The "substantial burden" standards of RLUIPA are an entirely separate and independent arrangement of the statute that protects religious exercise from the kinds of substantial burdens on religious assembly that have been committed and threatened by the City. As a general rule, the substantial burden standard provides that:

> No government shall impose or implement a land use regulation in a manner that imposes a substantial burden on the religious exercise of a person, including a religious assembly or institution, unless the

> government demonstrates that imposition of the burden on that person, assembly, or institution—
>
> (A) is in furtherance of a compelling governmental interest; and
>
> (B) is the least restrictive means of furthering that compelling governmental interest.
>
> 42 U.S.C. Section 2000cc

The Ninth Circuit, in its decision in *New Harvest Christian Fellowship v. City of Salina, supra,* confirmed that a proper analysis of whether a government has imposed a substantial burden on religion is not based on any single bright line standard (such as the potential availability of alternative sites for the intended religious assembly). Instead, a totality of the circumstances must be considered to determine whether the government's exercise of its regulatory authorities imposed a substantial restriction, rather than a mere inconvenience, on religious exercise. (Id., at 5).

In this instance we have substantial misconduct by City of Fresno officials using, and threatening to further use, zoning regulatory authorities and contractual interference to prohibit a religious use of the Property. The totality of the circumstances demonstrates that the City is motivated in these matters to placate a group of protestors who are intolerant of the CHURCH and its congregants, and who thereby wish to use the power of government to prohibit religious assembly in the neighborhood. These circumstances include the following:

1. The City's initial confirmation, by the Original Zoning Letter, that the religious assembly use of the Tower Theatre Property (in excess of 2,000 square feet) was a permitted "ancillary use" of the Tower Theatre Property.

2. The City's initiation of a zoning enforcement case (on December 7, 2020, the same day as the CHURCH'S request for the issuance of the Initial Zoning Letter), which was closed on December 22, 2020. The case was closed based on the enforcement staff's receipt and evaluation of the December 10, 2020, Initial Zoning Letter, which confirmed that the CHURCH's scope of use of the Property for religious assemblies constituted a permissible ancillary use (See Case History Report Case Number E20-11335, included as **Exhibit "15"**).

3. The City Manager's reversal of the professional planning staff's interpretations of the City zoning ordinances, in the face of the controversy generated by the protestors, and to aid of such protests, by issuance of the Updated Zoning Letter.

4. The issuance of a further zoning enforcement action, a mere few weeks after the reversal by the City of its interpretation of its zoning codes, to seek to shut down the CHURCH's present use of the Tower Theatre Property for religious assemblies (See Administration Citation E21-00354.1A, issued January 5, 2021, included as **Exhibit "16"**).

5. The Mayor's Letter that confirms his desire to resolve the public controversy by supporting the goals of protestors who wish to prohibit religious assembly in the Tower neighborhood, and his intention to engage in "a long and

expensive legal dispute regarding the applicability of City zoning laws for the Tower Theater" to achieve his aims.

6. The non-legally privileged interference by City Officials in the performance by the parties to the Purchase Contract to block the CHURCH from acquiring ownership of the Tower Theatre Property, through its use of zoning standards and contractual interference for harassment.

7. The threats by City Officials to use the Eminent Domain Law to acquire the Property, in an effort to prohibit the CHURCH from acquiring the Property, and the City's initiation of certain pre-condemnation proceedings (including the attainment of Court Orders) in aid of its intended condemnation efforts.

It is clear from the totality of these circumstances that the City's use of its zoning authorities, its condemnation authorities and its contractual interference are being used solely as a tool to placate those in the community who condemn the CHURCH's desire to conduct religious assemblies in the Tower Theatre neighborhood. The City's stated concerns about zoning standards (which the record shows have had their interpretations recently revised despite numerous years of unmolested use of the Property by the CHURCH) and historical preservations, are all pretexts for furthering the unconstitutional aims of an intolerant community, to substantially burden the exercise of religion.

The purposes of the City (those both stated and apparent from the City's actual conduct) are important when evaluating whether the government is violating the Substantial Burden standards of RLUIPA when imposing non-neutral zoning standards. That is because the City's imposition of its burdens must be "in furtherance of a compelling governmental interest", and must be implemented in "the least restrictive means of furthering that compelling governmental interest. Nothing that the City has done in this matter is in furtherance of any compelling governmental interest, because there is no compelling governmental interest to promote the rights and interests of the religious intolerant against the rights of a religious institution.

Furthermore, a fair consideration of the basis for the zoning structures at issue, and the qualities of the relevant Property, provide further evidence of the lack of any compelling governmental interest. The CMS Zoning states that its purpose is to:

> [P]reserve or promote small-scale, fine-grain commercial development in neighborhoods where single-family residential and townhomes are predominant. A traditional "Main Street" character is achieved with active store fronts, outdoor seating and pedestrian-oriented design.

(FMC Section 15-1201).

The City must therefore demonstrate a compelling interest in prohibiting the use of assembly spaces that exceed 2,000 square feet on the basis that such uses and spaces are inconsistent with such small-scale, fine-grain development. It cannot do so here. Its own zoning standards allow uses of assembly spaces that exceed 2,000 square feet. In addition, in the context of the Tower Theatre Property, the goals are already satisfied. The "Theater" building has been developed with important and valuable "small-sale"

pedestrian oriented commercial uses on all sides of the Theater that face public walks (with the sole exception of the Theater entrance). The building in fact in many ways is the epitome of careful design that protects and preserves pedestrian oriented uses, while facilitating a now historic building whose historic use is for assemblies in space that exceeds 2,000 square feet. The nature of the Tower Theatre Property, and its consistency with the stated goals of the CMS Zoning, is further evidence that the City has no compelling governmental interest to bar the CHURCH's religious assembly use, nor is the City pursuing a regulatory strategy that is a least restrictive means of furthering that interest.

c. Faced With Regulatory Standards and Purposes that violate RLUIPA, the City Must Exercise Authorities in RLUIPA To Avoid a Violation.

As the courts interpret the substantive provisions of the statute, they are required to construe RLUIPA "in favor of a broad protection of religious exercise, to the maximum extent permitted by the terms of this Act and the Constitution."[2]

Because of the significant protection now afforded to religious assemblies and institutions, it is particularly appropriate for governmental agencies to take corrective action as is recommended by RLUIPA itself:

> *"A government may avoid the preemptive force of any provision of this chapter by changing the policy or practice that results in a substantial burden on religious exercise, by retaining the policy or practice and exempting the substantially burdened religious exercise, by providing exemptions from the policy or practice for applications that substantially burden religious exercise, or by any other means that eliminates the substantial burden."*[3]

Here, the City's Zoning Ordinance, which imposes 2,000 square foot limitation on religious assembly uses, is a clear and unambiguous violation of the equal terms provision of RLUIPA. In addition, the City's conduct and its demonstrated purposes, and the lack of any compelling governmental interests sought to be furthered by its conduct, is a violation of the substantial burden provisions of RLUIPA. The City Fresno has the legal right and responsibility to immediately resolve its unlawful zoning ordinance that prevents religious assemblies from gathering in the CMS zone in more than 2,000 square feet, and to halt its further interferences in the parties' performance of the Purchase Contract.

THE PURCHASE CONTRACT REMAINS IN EFFECT

The City of Fresno's most recent contention justifying its interference with the Purchase Contact is that the CHURCH lacks standing to assert its contractual based claims against

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[2] (42 U.S.C. § 2000cc-3(g).)

[3] (42 U.S.C. § 2000cc-3(e).)

the Tower Parties, and interference claims against the City of Fresno, because the underlying Purchase Contract has expired. This is not true. The allegation by counsel for the City of Fresno, that the language of Section 9.3 in the Purchase Contract effectuated a termination of the Purchase Contract on March 31, 2021, is inherently flawed.

A. A Party In Breach Cannot Enforce a Contract Under California Law.

A party to a contract will not normally be allowed to rely on his own breach of contract in order to bring the contract to an end, inclusive of attempting to enforce a provision terminating the contract. It is elementary that one party to a contract cannot compel another to perform while said party is itself in default. (*Lewis Pub. Co. v. Henderson* (1930) 103 Cal.App. 425, 429.)

Germane to resolving this issue, a party breaching a contract cannot enforce any portions which he has not performed. Moreover, if a party has materially breached any portion of a divisible contract, the aggrieved party is excused from further performance of all uncompleted portions of the contract. Put simply, "[w]hen a party's failure to perform a contractual obligation constitutes a material breach of the contract, the other party may be discharged from its duty to perform under the contract." (*Brown v. Grimes* (2011) 192 Cal.App.4th 265, 277.)

As discussed above, the Tower Parties breached the terms of the Purchase Contract by failing to disclose the existence of J&A's alleged right of first refusal. The Tower Parties attempted to cover up J&A's alleged right of first refusal.[4]

B. The Tower Parties Did Not Perform Conditions Precedent That Would Trigger the CHURCH's Necessary Performance To Avoid Termination Of The Purchase Contract.

As relevant here, California Civil Code, § 1439 expressly provides:

> "Before any party to an obligation can require another party to perform any act under it, he must fulfill all conditions precedent thereto imposed upon himself; and must be able and offer to fulfill all conditions concurrent so imposed upon him on the like fulfillment by the other party."

The obligations of the parties to a contract are either dependent or independent. (*Verdier v. Verdier* (1955) 133 Cal.App.2d 325, 334.) The parties' obligations are dependent when the performance by one party is a condition precedent to the other party's performance. (*Colaco v. Cavotec SA* (2018) 25 Cal.App.5th 1172, 1183.) In that event, one party is

[4] We strongly suggest the council to take a deep dive into J&A's claims against the Tower Parties that are a matter of public record before the vote tomorrow.

excused from its obligation to perform if the other party fails to perform. (*Verdier, supra,* 133 Cal.App.2d at 334.)

Here, Paragraph 9.1(o) of the Purchase Contract clearly states:

> (o) Material change. Buyer shall have 10 days **following receipt of written notice of a Material Change within which to satisfy itself with regard to such change…**

Under Paragraph 9.3 of the Purchase Contract, if the CHURCH disapproves of any contingency, the remedy is self-executing. The Tower Parties have 10 days to elect to cure. If the Tower Parties fails to do so, the CHURCH would have 10 days to decide whether to take the Tower Theatre Property in its present condition. It specifically states: "Buyer's failure to notify Seller in writing of Buyer's election to accept title to the Property subject to the Disapproved Item without deduction or offset shall constitute Buyer's election to terminate this transaction." However, such necessitated action is only triggered after receipt of written notice of a Material Change and a formal Disapproval by the CHURCH. Necessarily, to initiate this process, it was a condition precedent for the Tower Parties to provide written notice of the "Material Change." It is insufficient for this process to begin simply because the CHURCH otherwise became aware of the lawsuit and lis pendens filed by J&A.

Consistent with the above, even assuming arguendo that the Tower Parties were allowed to rely on this provision despite its breach, the Purchase Contract cannot be said to be terminated. The Tower Parties were obligated to notify the CHURCH in writing of the Material Change. The Tower Parties did not provide such notice in writing.

Even if it was presumed that notice was somehow given and the CHURCH had disapproved, the Tower Parties were required to provide notice to the CHURCH of its election to cure the disapproved item or not. It is clear from the ongoing interactions, written correspondence, and attempts to resolve this issue the Tower Parties provided notice of its intention to carry out the sale and cure the disapproved item. At all times relevant hereto, Tower Parties represented they working to cure the disapproved item in order to effectuate a closing of the escrow. Specifically, there were continuing to litigate against J&A.

On February 16, 2021, J&A filed a Complaint for Breach of Contract against the Tower Parties. On February 17, 2021, J&A filed a First Amended Complaint adding the CHURCH as a Defendant. On February 22, 2021, J&A recorded a *lis pendens* and filed the same with the Fresno Superior Court on February 25, 2021. On February 24, 2021, the Court granted a TRO to stop the sale of the Tower Theatre Property to the CHURCH, issued an OSC and set a hearing on J&A's request for a Preliminary Injunction on March 17, 2021. As of February 24, 2021, the CHURCH was barred by the Courts from closing Escrow on the purchase of the Tower Theatre Property.

On March 3, 2021, the Tower Parties and the CHURCH executed the 8th Amendment to the Purchase Agreement (see **Exh. "2"**), extending the closing date until March 31, 2021, and allowing the release of $15,000, of the deposit to the Tower Parties. This agreement by the Tower Parties and the CHURCH affirmed their willingness to complete the sale and the purchase of the Tower Theatre Property and occurred within 10 days after the recording of the *lis pendens*.

In a declaration executed under penalty of perjury by Mr. Abbate on March 10, 2021 (after the *lis pendens* was filed), and attached hereto as **Exhibit "17",** Mr. Abbate testified that the Tower Parties "ha[ve] invested well over $20,000, in satisfying contingencies of the sale to Adventure Church. All of this will be lost if the sale is not consummated." (see par. no. 11). Mr. Abbate further testifies under oath that "Adventure Church, Inc. is financing the purchase of the Property." (par. no. 12). Cleary Mr. Abbate was intending to close Escrow and sell the Tower Theatre Property notwithstanding the recording/filing of the *lis pendens*.

On March 29, 2021, J&A filed a Writ with the Fifth District Appellate Court in response to the Fresno Superior Court's denial of J&A's request for an injunction and sought an immediate stay of the of the pending sale to the CHURCH. The Appellate Court issued a stay of the pending sale to the CHURCH on March 30, 2021, by way of an Order dated the same. Again the CHURCH was prevented from closing Escrow. The specific language of the Order:

> *This court is in receipt of the "Petition for Writ of Mandate and/or Prohibition or Other Appropriate Relief, and Request for Immediate Stay," filed by petitioner on March 29, 2021. Having conducted a preliminary review of the matter, the "Order Denying Preliminary Injunction and Expunging lis pendens," issued in Fresno County Superior Court case No. 21CECG00440 on March 18, 2021, is hereby ordered stayed pending determination of the petition in the above entitled action, or until further ruling of this court. The terms of the Superior Court's "Order Granting Ex Parte Application for Temporary Restraining Order ...," issued on February 24, 2021, shall remain in effect. Real party in interest, Tower Theater Properties, Inc., and all other persons acting in concert or participating with real party in interest, shall cease and desist all conduct relating to any sale of the subject premises, which is real property consisting of approximately 5,700 square feet commonly known as 777 and 779 E. Olive Avenue, Fresno, California 93728, pending further ruling of this court.*

On April 23, 2021, the Appellate Court issued an Order that overturned the expungement of J&A's *lis pendens*. This *lis pendens*, which remains on title to this day, has prevented the CHURCH from purchasing the Tower Theatre Property. On April 23, 2021, Mr. Abbate sat for a video interview, wherein he confirmed that the Purchase Agreement between the Tower Parties and the CHURCH was still enforceable. Mr. Abbate

confirmed the Tower Parties would sell the Tower Theatre Property to the CHURCH and that the Tower Parties were prevented from selling the Tower Theatre Property to any other party.[5] Some of his comments are as follows:

Q: What is the status of the sale of the Tower Theatre [to the CHURCH]?
A: It is on hold. It was put on hold by the Courts.

Q: Do you intend to sell the Theatre?
A: Yes to finalize this transaction.

Q: Did you ever offer to sell the Tower Theater to the City?
A: No, they came in later. It was pretty quiet during the initial escrow. When they found out about it....after the papers made their way through the city then the city came in after.

Q: Are they[the CHURCH] still interested in buying and you are still interested in sell?
A: Yes.

Q: Would you ever consider an offer from another party?
A: I don't think I can. Because it was frozen. Because we are in contract.....they [the CHURCH] have done everything they said they would do. They did what they were supposed to do. We did what we were supposed to do.

The video does not lie. Mr. Abbate explained that the litigation filed by J&A was the only issue preventing the sale of the Tower Theatre Property to the CHURCH.

Throughout the year 2021, there are a number of text messages and email communications between the CHURCH, the Tower Parties, and the real estate agents involved, which confirm the Purchase Agreement had not expired after the recording of the *lis pendens*. Why would the City of Fresno continue to interfere with a private purchase agreement that both the buyer and seller have confirmed is enforceable?

First, the City of Fresno argued that the CHURCH could not operate in the Tower Theatre, post-closing, after threatening unconstitutional zoning restrictions. Once confronted with the religious liberties of the CHURCH that were violated by this position taken by City of Fresno, the City of Fresno switched its plan of attack. Next, the City of Fresno threatened to take the Tower Theatre by eminent domain. After we again argued that the threat of eminent domain was pre-textual and a disguised effort by the City of Fresno to appease the religious intolerant protestors, the City of Fresno again

[5] Link to video: https://ko-kr.facebook.com/GVWire/videos/live-with-tower-theatre-owner-laurence-abbate-/232455905341029/

switched its plan of attack. Now the City of Fresno alleges that the CHURCH lacks standing because the Purchase Agreement expired. Which as explained above that simply is not true. What argument will the City of Fresno craft next to interfere with the CHURCH's exercise of private enterprise and religious freedoms?

Respectfully, we ask that the City of Fresno stop interfering with a private agreement entered into by private parties. We ask the City of Fresno stop its secret meetings with the Tower Parties. We ask the City of Fresno not spend millions of taxpayer dollars to purchase the Tower Theatre Property, paying J&A's attorney's fees and indemnifying the Tower Parties and Mr. Abbate from the CHRUCH's claims for damages which we will prevail upon along with an award of contractual attorney fees. This all seems like a waste of taxpayer dollars.

Telling is the following:

(1) Adventure Church, a party to the Purchase Contract, has delivered to escrow all required deposits, has shown proof of funding, has confirmed that the Purchase Agreement has not been terminated and that it intends to close escrow.

(2) The Tower Parties have confirmed on a number of occasions that the Purchase Contract is active and has not been terminated (See **Exh. "17"** and the linked video in fn. 6).

(3) Ms. Myer, Escrow Officer, has confirmed the escrow for the Purchase Contract has not been terminated (see **Exh. "14"**).

(4) The only party alleging the Purchase Contract expired on March 31, 2021, is the City of Fresno, the same party seeking to interfere with the Purchase Contract.

THE CHURCH WILL PROTECT ITS LEGAL RIGHTS

If the Fresno City Council moves forward with their plan to interfere with the CHURCH's right to purchase the Tower Property then the CHURCH will immediately amend its Complaint to add additional causes of action against all Tower Parties and Mr. Abbate, individually, for Intentional and Negligent Misrepresentation. We will also name the City of Fresno as a Defendant, and add causes of action against the City of Fresno for Intentional Interference with Contract, Negligent Interference with Contract, Violation of RLUIPA, 42 U.S.C. §2000cc, violations of the Eminent Domain Law, violations of federal Equal Protection (Class of One) rights, in addition to Preliminary (and Permanent Injunctive Relief), which will seek ex parte immediately upon filing to stop the sale and close of escrow. The damages that will be sought by the CHURCH are as follows:

(1) Damages for violation of RLUIPA. The City of Fresno's conduct and its demonstrated purposes, and the lack of any compelling governmental interests sought to

be furthered by its conduct, is a violation of the provisions of RLUIPA. Damages to be determined at trial along with an award of attorney fees against the City of Fresno.

(2) Damages for Inverse Condemnation. Due to the City of Fresno unlawful interference with the CHURCH's attempt to purchase the Tower Theatre Property, primarily through unlawful zoning threats, the City of Fresno will be directly liable to the CHURCH for inverse condemnation. Damages will include the loss of use of the Tower Theatre Property as described herein.

(3) Loss of Rental Income. It was anticipated that the CHURCH would generate rental revenues in the monthly amount of $9,575.00, from tenants at the Property. It was anticipated Escrow should have closed on or before February 1, 2021, which would allow the CHURCH to collect rent from February 1, 2021, a future date. Depending on how the Court rules we could be looking at damages due to monthly rental loss 10-20 years out.

(4) Loss of Value. The CHURCH is entitled to damages in the amount equal to the difference between the amount in the Purchase Contract amount and the fair market value. The fact the City of Fresno is willing to pay in excess of $2,000,000.00, over the Purchase Contract price, suggest that is the damage calculation for lost value that the CHURCH is entitled to.

(5) Loss of Income from Events at the Tower Theatre. It was anticipated that the CHURCH would generate revenues in the weekly amount of $4,500.00, from events at the Tower Theatre. Because the COVID restrictions were lifted in June 2021, this would have allowed the CHURCH to collect income from June 2021, until a future date. Depending on how the Court rules we could be looking at damages due to event income loss 10-20 years out.

(6) Rent. Since February 2021, the CHURCH has paid rent to the Tower Parties in the approximate amount of $162,834.00. These rental payments could have been avoided had Escrow closed in February 2021.

(7) Improvements to the Tower Theatre. During the last year and half, the CHURCH has spent approximately $220,000.00, in capital and personal property improvements to the Tower Theatre, including but not limited to sound, lighting and video improvements. These amounts must be accounted for in any resolution.

(8) Increased Costs of Financing Purchase. Since the time the CHURCH was previously pre-approved for financing, interest rates have raised at least 1.0%. These additional financing costs could have been avoided had Escrow closed in February 2021.

(9) Damages for Intentional Conduct. Due to the City of Fresno's intentional contractual interference, the CHURCH is entitled to an award of damages against the City of Fresno, inclusive of punitive damages. Because the Tower Parties misrepresented and concealed the terms of the Lease with J&A, the CHURCH is entitled to an award of damages, including punitive damages against the Tower Parties, including Mr. Abbate personally.

(10) Attorney Fees. As a direct result of the Tower Parties' breach of the Purchase Contract, the CHURCH will be entitled an award of contractual attorney's fees and costs.

The CHURCH respectfully requests each Councilmember vote against any resolution that would allow the City of Fresno to acquire the Tower Theatre Property, interfere with the CHURCH's existing contractual right to purchase the Tower Theatre Property and agree to be financial obligated for the damages outlined above.

Please ask yourselves: Do your taxpayers really want to fund this costly mistake the City of Fresno is about to make?

Very truly yours,

David L. Emerzian
McCormick Barstow LLP
DLE:cdg
Enclosures: Exhibits 1-17
cc: Clients
Mayor Jerry Dyer jerry.dyer@fresno.gov
Anthony Taylor ataylor@awattorneys.com

040510-000001 8357719.1

EXHIBIT "1"

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STANDARD OFFER, AGREEMENT AND ESCROW INSTRUCTIONS FOR PURCHASE OF REAL ESTATE

(Non-Residential)

Dated: September 28, 2020

1. **Buyer.**

1.1 Adventure Church, Inc. ("**Buyer**") hereby offers to purchase the real property, hereinafter described, from the owner thereof ("**Seller**") (collectively, the "**Parties**" or individually, a "**Party**"), through an escrow ("**Escrow**") to close ~~20~~ or 15 days after the waiver or satisfaction of the Buyer's Contingencies. ("**Expected Closing Date**") to be held by Chicago Title (Sue Meyer) ("**Escrow Holder**") whose address is 7330 N Palm Ave #101, Fresno; 1750 W Walnut Ave, Visalia; email address meyers@CTT.com. Phone No. (559) 451-3727, Facsimile No. _____, upon the terms and conditions set forth in this agreement ("**Agreement**"). Buyer shall have the right to assign Buyer's rights hereunder, but any such assignment shall not relieve Buyer of Buyer's obligations herein unless Seller expressly releases Buyer.

1.2 The term "**Date of Agreement**" as used herein shall be the date when by execution and delivery (as defined in paragraph 20.2) of this document or a subsequent counteroffer thereto, Buyer and Seller have reached agreement in writing whereby Seller agrees to sell, and Buyer agrees to purchase, the Property upon terms accepted by both Parties.

2. **Property.**

2.1 The real property ("**Property**") that is the subject of this offer consists of (insert a brief physical description) (2) existing buildings totaling ±24,817 SF on ±79,788 lot on APN 451-265-03

is located in the County of Fresno, is commonly known as (street address, city, state, zip) 777-815 E Olive Ave Fresno CA 93728 and is legally described as: to be provided by title company

(APN: 451-265-03).

2.2 If the legal description of the Property is not complete or is inaccurate, this Agreement shall not be invalid and the legal description shall be completed or corrected to meet the requirements of Chicago Title ("**Title Company**"), which shall issue the title policy hereinafter described.

2.3 The Property includes, at no additional cost to Buyer, the permanent improvements thereon, including those items which pursuant to applicable law are a part of the property, as well as the following items, if any, owned by Seller and at present located on the Property: electrical distribution systems (power panel, bus ducting, conduits, disconnects, lighting fixtures), telephone distribution systems (lines, jacks and connections only); space heaters; heating, ventilating, air conditioning equipment ("**HVAC**"); air lines; fire sprinkler systems; security and fire detection systems; carpets; window coverings; wall coverings; and _____ (collectively, the "**Improvements**").

2.4 The fire sprinkler monitor: ☐ is owned by Seller and included in the Purchase Price, ☐ is leased by Seller, and Buyer will need to negotiate a new lease with the fire monitoring company, ☐ ownership will be determined during Escrow, or ☐ there is no fire sprinkler monitor.

2.5 Except as provided in Paragraph 2.3, the Purchase Price does not include Seller's personal property, furniture and furnishings, and all of which shall be removed by Seller prior to Closing.

3. **Purchase Price.**

3.1 The purchase price ("**Purchase Price**") to be paid by Buyer to Seller for the Property shall be $ 3,900,000.00, payable as follows:

(Strike if not applicable)

(a) Cash down payment, including the Deposit as defined in paragraph 4.3 (or if an all cash transaction, the Purchase Price): $ 900,000.00

(b) Amount of "New Loan" as defined in paragraph 5.1, if any: $ 3,000,000.00

~~(c) Buyer shall take title to the Property subject to and/or assume the following existing deed(s) of trust ("Existing Deed(s) of Trust") securing the existing promissory note(s) ("Existing Note(s)"):~~

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KW Commercial Central CA, 740 W Alluvial Ave #102 Fresno, CA 93711 Jared Ennis
Phone: 5593028698 Fax: 5594329324

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(i) ~~An Existing Note ("First Note") with an unpaid principal balance as of the Closing of approximately:~~ $ _____
~~Said First Note is payable at $ _____ per month, including interest at the rate of _____ % per annum until paid (and/or the entire unpaid balance is due on _____).~~

(ii) ~~An Existing Note ("Second Note") with an unpaid principal balance as of the Closing of approximately:~~ $ _____
~~Said Second Note is payable at $ _____ per month, including interest at the rate of _____ % per annum until paid (and/or the entire unpaid balance is due on _____).~~

(d) ~~Buyer shall give Seller a deed of trust ("Purchase Money Deed of Trust") on the property, to secure the promissory note of Buyer to Seller described in paragraph 6 ("Purchase Money Note") in the amount of:~~ $ _____

Total Purchase Price: $ 3,900,000.00

3.2 If Buyer is taking title to the Property subject to, or assuming, an Existing Deed of Trust and such deed of trust permits the beneficiary to demand payment of fees including, but not limited to, points, processing fees, and appraisal fees as a condition to the transfer of the Property, Buyer agrees to pay such fees up to a maximum of 1.5% of the unpaid principal balance of the applicable Existing Note.

4. Deposits.

4.1 ☐ ~~Buyer has delivered to Broker a check in the sum of $ _____, payable to Escrow Holder, to be delivered by Broker to Escrow Holder within 2 or _____ business days after both Parties have executed this Agreement and the executed Agreement has been delivered to Escrow Holder,~~ or ☐ within ~~2~~ or 3 business days after both Parties have executed this Agreement and the executed Agreement has been delivered to Escrow Holder Buyer shall deliver to Escrow Holder a check in the sum of $ 40,000.00. If said check is not received by Escrow Holder within said time period then Seller may elect to unilaterally terminate this transaction by giving written notice of such election to Escrow Holder whereupon neither Party shall have any further liability to the other under this Agreement. Should Buyer and Seller not enter into an agreement for purchase and sale, Buyer's check or funds shall, upon request by Buyer, be promptly returned to Buyer.

~~4.2 Additional deposits:~~

~~(a) Within 5 business days after the Date of Agreement, Buyer shall deposit with Escrow Holder the additional sum of $ _____ to be applied to the Purchase Price at the Closing.~~

~~(b) Within 5 business days after the contingencies discussed in paragraph 9.1 (a) through (m) are approved or waived, Buyer shall deposit with Escrow Holder the additional sum of $ _____ to be applied to the Purchase Price at the Closing.~~

~~(c) If an Additional Deposit is not received by Escrow Holder within the time period provided then Seller may notify Buyer, Escrow Holder, and Brokers, in writing that, unless the Additional Deposit is received by Escrow Holder within 2 business days following said notice, the Escrow shall be deemed terminated without further notice or instructions.~~

4.3 Escrow Holder shall deposit the funds deposited with it by Buyer pursuant to paragraphs 4.1 and 4.2 (collectively the **"Deposit"**), in a State or Federally chartered bank in an interest bearing account whose term is appropriate and consistent with the timing requirements of this transaction. The interest therefrom shall accrue to the benefit of Buyer, who hereby acknowledges that there may be penalties or interest forfeitures if the applicable instrument is redeemed prior to its specified maturity. Buyer's Federal Tax Identification Number is _____. NOTE: Such interest bearing account cannot be opened until Buyer's Federal Tax Identification Number is provided.

4.4 Notwithstanding the foregoing, within 5 days after Escrow Holder receives the monies described in paragraph 4.1 above, Escrow Holder shall release $100 of said monies to Seller as and for independent consideration for Seller's' execution of this Agreement and the granting of the contingency period to Buyer as herein provided. Such independent consideration is non-refundable to Buyer but shall be credited to the Purchase Price in the event that the purchase of the Property is completed.

4.5 Upon waiver of all of Buyer's contingencies the Deposit shall become non-refundable but applicable to the Purchase Price except in the event of a Seller breach, or in the event that the Escrow is terminated pursuant to the provisions of Paragraph 9.1(n) (Destruction, Damage or Loss) or 9.1(o) (Material Change).

5. Financing Contingency. *(Strike if not applicable)*

5.1 This offer is contingent upon Buyer obtaining from an insurance company, financial institution or other lender, a commitment to lend to Buyer a sum equal to at least 80.000 % of the Purchase Price, on terms acceptable to Buyer. Such loan (**"New Loan"**) shall be secured by a first deed of trust or mortgage on the Property. If this Agreement provides for Seller to carry back junior financing, then Seller shall have the right to approve the terms of the New Loan. Seller shall have 7 days from receipt of the commitment setting forth the proposed terms of the New Loan to approve or disapprove of such proposed terms. If Seller fails to notify Escrow Holder, in writing, of the disapproval within said 7 days it shall be conclusively presumed that Seller has approved the terms of the New Loan.

5.2 **If Buyer shall fail to notify its Broker, Escrow Holder and Seller, in writing within 45 days following the Date of Agreement, that the New Loan has not been obtained, it shall be conclusively presumed that Buyer has either obtained said New Loan or has waived this New Loan contingency.**

5.3 If Buyer shall notify its Broker, Escrow Holder and Seller, in writing, within the time specified in paragraph 5.2 hereof, that Buyer has not obtained said New Loan, this Agreement shall be terminated, and Buyer shall be entitled to the prompt return of the Deposit, plus any interest earned thereon, less only Escrow Holder and Title Company cancellation fees and costs, which Buyer shall pay.

~~6. Seller Financing (Purchase Money Note). *(Strike if not applicable)*~~

~~6.1 If Seller approves Buyer's financials (see paragraph 6.5) the Purchase Money Note shall provide for interest on unpaid principal at the rate of _____ % per annum, with principal and interest paid as follows:~~ _____

_____

_____

_____

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~~The Purchase Money Note and Purchase Money Deed of Trust shall be on the current forms commonly used by Escrow Holder, and be junior and subordinate only to the Existing Note(s) and/or the New Loan expressly called for by this Agreement.~~

~~6.2 The Purchase Money Note and/or the Purchase Money Deed of Trust shall contain provisions regarding the following (see also paragraph 10.3 (b)):~~

~~(a) *Prepayment.* Principal may be prepaid in whole or in part at any time without penalty, at the option of the Buyer.~~

~~(b) *Late Charge.* A late charge of 6% shall be payable with respect to any payment of principal, interest, or other charges, not made within 10 days after it is due.~~

~~(c) *Due On Sale.* In the event the Buyer sells or transfers title to the Property or any portion thereof, then the Seller may, at Seller's option, require the entire unpaid balance of said Note to be paid in full.~~

~~6.3 If the Purchase Money Deed of Trust is to be subordinate to other financing, Escrow Holder shall, at Buyer's expense prepare and record on Seller's behalf a request for notice of default and/or sale with regard to each mortgage or deed of trust to which it will be subordinate.~~

~~6.4 WARNING: CALIFORNIA LAW DOES NOT ALLOW DEFICIENCY JUDGEMENTS ON SELLER FINANCING. IF BUYER ULTIMATELY DEFAULTS ON THE LOAN, SELLER'S SOLE REMEDY IS TO FORECLOSE ON THE PROPERTY.~~

~~6.5 Seller's obligation to provide financing is contingent upon Seller's reasonable approval of Buyer's financial condition. Buyer to provide a current financial statement and copies of its Federal tax returns for the last 3 years to Seller within 10 days following the Date of Agreement. Seller has 10 days following receipt of such documentation to satisfy itself with regard to Buyer's financial condition and to notify Escrow Holder as to whether or not Buyer's financial condition is acceptable. If Seller fails to notify Escrow Holder, in writing, of the disapproval of this contingency within said time period, it shall be conclusively presumed that Seller has approved Buyer's financial condition. If Seller is not satisfied with Buyer's financial condition or if Buyer fails to deliver the required documentation then Seller may notify Escrow Holder in writing that Seller Financing will not be available, and Buyer shall have the option, within 10 days of the receipt of such notice, to either terminate this transaction or to purchase the Property without Seller financing. If Buyer fails to notify Escrow Holder within said time period of its election to terminate this transaction then Buyer shall be conclusively presumed to have elected to purchase the Property without Seller financing. If Buyer elects to terminate, Buyer's Deposit shall be refunded less Title Company and Escrow Holder cancellation fees and costs, all of which shall be Buyer's obligation.~~

7. Real Estate Brokers.

7.1 Each Party acknowledges receiving a Disclosure Regarding Real Estate Agency Relationship, confirms and consents to the following agency relationships in this transaction with the following real estate brokers ("Broker(s)") and/or their agents ("Agent(s)"):

Seller's Brokerage Firm Strong Holdings, Inc., DBA KW Commercial
License No. 01841795 Is the broker of (check one): [X] the Seller; or [ ] both the Buyer and Seller (dual agent).
Seller's Agent Kevin Land & Jared Ennis
License No. 01516541/01945284 Is (check one): [X] the Seller's Agent (salesperson or broker associate); or [ ] both the Buyer's Agent and the Seller's Agent (dual agent).
Buyer's Brokerage Firm eXp Realty of California, Inc.
License No. 01879277 Is the broker of (check one): [X] the Buyer; or [ ] both the Buyer and Seller (dual agent).
Buyer's Agent Bill Richardson
License No. 01924226 Is (check one): [X] the Buyer's Agent (salesperson or broker associate); or [ ] both the Buyer's Agent and the Seller's Agent (dual agent).

The Parties acknowledge that other than the Brokers and Agents listed above, there are no other brokers and agents representing the Parties or due any fees and/or commissions under this Agreement. Buyer shall use the services of Buyer's Broker exclusively in connection with any and all negotiations and offers with respect to the Property for a period of 1 year from the date inserted for reference purposes at the top of page 1.

7.2 Buyer and Seller each represent and warrant to the other that he/she/it has had no dealings with any person, firm, broker, agent or finder in connection with the negotiation of this Agreement and/or the consummation of the purchase and sale contemplated herein, other than the Brokers and Agents named in paragraph 7.1, and no broker, agent or other person, firm or entity, other than said Brokers and Agents is/are entitled to any commission or finder's fee in connection with this transaction as the result of any dealings or acts of such Party. Buyer and Seller do each hereby agree to indemnify, defend, protect and hold the other harmless from and against any costs, expenses or liability for compensation, commission or charges which may be claimed by any broker, agent, finder or other similar party, other than said named Brokers and Agents by reason of any dealings or act of the indemnifying Party.

8. Escrow and Closing.

8.1 Upon acceptance hereof by Seller, this Agreement, including any counteroffers incorporated herein by the Parties, shall constitute not only the agreement of purchase and sale between Buyer and Seller, but also instructions to Escrow Holder for the consummation of the Agreement through the Escrow. Escrow Holder shall not prepare any further escrow instructions restating or amending the Agreement unless specifically so instructed by the Parties or a Broker herein. Subject to the reasonable approval of the Parties, Escrow Holder may, however, include its standard general escrow provisions. In the event that there is any conflict between the provisions of the Agreement and the provisions of any additional escrow instructions the provisions of the Agreement shall prevail as to the Parties and the Escrow Holder.

8.2 As soon as practical after the receipt of this Agreement and any relevant counteroffers, Escrow Holder shall ascertain the Date of Agreement as defined in paragraphs 1.2 and 20.2 and advise the Parties and Brokers, in writing, of the date ascertained.

8.3 Escrow Holder is hereby authorized and instructed to conduct the Escrow in accordance with this Agreement, applicable law and custom and practice of the community in which Escrow Holder is located, including any reporting requirements of the Internal Revenue Code. In the event of a conflict between the law of the state where the Property is located and the law of the state where the Escrow Holder is located, the law of the state where the Property is located shall prevail.

8.4 Subject to satisfaction of the contingencies herein described, Escrow Holder shall close this escrow (the "**Closing**") by recording a general warranty deed (a grant deed in California) and the other documents required to be recorded, and by disbursing the funds and documents in accordance with this Agreement.

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8.5 Buyer and Seller shall each pay one-half of the Escrow Holder's charges and Seller shall pay the usual recording fees and any required documentary transfer taxes. Seller shall pay the premium for a standard coverage owner's or joint protection policy of title insurance. (See also paragraph 11)

8.6 Escrow Holder shall verify that all of Buyer's contingencies have been satisfied or waived prior to Closing. The matters contained in paragraphs 9.1 subparagraphs (b), (c), (d), (e), (g), (i), (n), and (o), 9.4, 9.5, 12, 13, 14, 16, 18, 20, 21, 22, and 24 are, however, matters of agreement between the Parties only and are not instructions to Escrow Holder.

8.7 If this transaction is terminated for non-satisfaction and non-waiver of a Buyer's Contingency, as defined in paragraph 9.2 or disapproval of any other matter subject to Buyer's approval, then neither of the Parties shall thereafter have any liability to the other under this Agreement, except to the extent of a breach of any affirmative covenant or warranty in this Agreement. In the event of such termination, Buyer shall, subject to the provisions of paragraph 8.10, be promptly refunded all funds deposited by Buyer with Escrow Holder, less only the $100 provided for in paragraph 4.4 and the Title Company and Escrow Holder cancellation fees and costs, all of which shall be Buyer's obligation. If this transaction is terminated as a result of Seller's breach of this Agreement then Seller shall pay the Title Company and Escrow Holder cancellation fees and costs.

8.8 The Closing shall occur on the Expected Closing Date, or as soon thereafter as the Escrow is in condition for Closing; provided, however, that if the Closing does not occur by the Expected Closing Date and said Date is not extended by mutual instructions of the Parties, a Party not then in default under this Agreement may notify the other Party, Escrow Holder, and Brokers, in writing that, unless the Closing occurs within 5 business days following said notice, the Escrow shall be deemed terminated without further notice or instructions.

8.9 Except as otherwise provided herein, the termination of Escrow shall not relieve or release either Party from any obligation to pay Escrow Holder's fees and costs or constitute a waiver, release or discharge of any breach or default that has occurred in the performance of the obligations, agreements, covenants or warranties contained therein.

8.10 If this Escrow is termination for any reason other than Seller's breach or default, then as a condition to the return of Buyer's deposit, Buyer shall within 5 days after written request deliver to Seller, at no charge, copies of all surveys, engineering studies, soil reports, maps, master plans, feasibility studies and other similar items prepared by or for Buyer that pertain to the Property.

9. Contingencies to Closing.

9.1 The Closing of this transaction is contingent upon the satisfaction or waiver of the following contingencies. **IF BUYER FAILS TO NOTIFY ESCROW HOLDER, IN WRITING, OF THE DISAPPROVAL OF ANY OF SAID CONTINGENCIES WITHIN THE TIME SPECIFIED THEREIN, IT SHALL BE CONCLUSIVELY PRESUMED THAT BUYER HAS APPROVED SUCH ITEM, MATTER OR DOCUMENT.** Buyer's conditional approval shall constitute disapproval, unless provision is made by the Seller within the time specified therefore by the Buyer in such conditional approval or by this Agreement, whichever is later, for the satisfaction of the condition imposed by the Buyer. Escrow Holder shall promptly provide all Parties with copies of any written disapproval or conditional approval which it receives. With regard to subparagraphs (a) through (m) the pre-printed time periods shall control unless a different number of days is inserted in the spaces provided.

(a) *Disclosure.* Seller shall make to Buyer, through Escrow, all of the applicable disclosures required by law (See AIR Commercial Real Estate Association (**"AIR"**) standard form entitled "Seller's Mandatory Disclosure Statement") and provide Buyer with a completed Property Information Sheet (**"Property Information Sheet"**) concerning the Property, duly executed by or on behalf of Seller in the current form or equivalent to that published by the AIR within 10 or 10 days following the Date of Agreement. Buyer has 10 days from the receipt of said disclosures to approve or disapprove the matters disclosed.

(b) *Physical Inspection.* Buyer has ~~10~~ or 45 days following the receipt of the Property Information Sheet or the Date of Agreement, whichever is later, to satisfy itself with regard to the physical aspects and size of the Property.

(c) *Hazardous Substance Conditions Report.* Buyer has ~~30~~ or 45 days following the receipt of the Property Information Sheet or the Date of Agreement, whichever is later, to satisfy itself with regard to the environmental aspects of the Property. Seller recommends that Buyer obtain a Hazardous Substance Conditions Report concerning the Property and relevant adjoining properties. Any such report shall be paid for by Buyer. A **"Hazardous Substance"** for purposes of this Agreement is defined as any substance whose nature and/or quantity of existence, use, manufacture, disposal or effect, render it subject to Federal, state or local regulation, investigation, remediation or removal as potentially injurious to public health or welfare. A **"Hazardous Substance Condition"** for purposes of this Agreement is defined as the existence on, under or relevantly adjacent to the Property of a Hazardous Substance that would require remediation and/or removal under applicable Federal, state or local law.

(d) *Soil Inspection.* Buyer has ~~30~~ or 45 days following the receipt of the Property Information Sheet or the Date of Agreement, whichever is later, to satisfy itself with regard to the condition of the soils on the Property. Seller recommends that Buyer obtain a soil test report. Any such report shall be paid for by Buyer. Seller shall provide Buyer copies of any soils report that Seller may have within 10 days of the Date of Agreement.

(e) *Governmental Approvals.* Buyer has ~~30~~ or 45 days following the Date of Agreement to satisfy itself with regard to approvals and permits from governmental agencies or departments which have or may have jurisdiction over the Property and which Buyer deems necessary or desirable in connection with its intended use of the Property, including, but not limited to, permits and approvals required with respect to zoning, planning, building and safety, fire, police, handicapped and Americans with Disabilities Act requirements, transportation and environmental matters.

(f) *Conditions of Title.* Escrow Holder shall cause a current commitment for title insurance (**"Title Commitment"**) concerning the Property issued by the Title Company, as well as legible copies of all documents referred to in the Title Commitment (**"Underlying Documents"**), and a scaled and dimensioned plot showing the location of any easements to be delivered to Buyer within ~~10~~ or 45 days following the Date of Agreement. Buyer has 10 days from the receipt of the Title Commitment, the Underlying Documents and the plot plan to satisfy itself with regard to the condition of title. The disapproval by Buyer of any monetary encumbrance, which by the terms of this Agreement is not to remain against the Property after the Closing, shall not be considered a failure of this contingency, as Seller shall have the obligation, at Seller's expense, to satisfy and remove such disapproved monetary encumbrance at or before the Closing.

(g) *Survey.* Buyer has ~~30~~ or 45 days following the receipt of the Title Commitment and Underlying Documents to satisfy itself with regard to any ALTA title supplement based upon a survey prepared to American Land Title Association (**"ALTA"**) standards for an

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owner's policy by a licensed surveyor, showing the legal description and boundary lines of the Property, any easements of record, and any improvements, poles, structures and things located within 10 feet of either side of the Property boundary lines. Any such survey shall be prepared at Buyer's direction and expense. If Buyer has obtained a survey and approved the ALTA title supplement, Buyer may elect within the period allowed for Buyer's approval of a survey to have an ALTA extended coverage owner's form of title policy, in which event Buyer shall pay any additional premium attributable thereto.

(h) *Existing Leases and Tenancy Statements.* Seller shall within ~~10~~ or 45 days following the Date of Agreement provide both Buyer and Escrow Holder with legible copies of all leases, subleases or rental arrangements (collectively, **"Existing Leases"**) affecting the Property, and with a tenancy statement (**"Estoppel Certificate"**) in the latest form or equivalent to that published by the AIR, executed by Seller and/or each tenant and subtenant of the Property. Seller shall use its best efforts to have each tenant complete and execute an Estoppel Certificate. If any tenant fails or refuses to provide an Estoppel Certificate then Seller shall complete and execute an Estoppel Certificate for that tenancy. Buyer has 10 days from the receipt of said Existing Leases and Estoppel Certificates to satisfy itself with regard to the Existing Leases and any other tenancy issues.

~~(i) *Owner's Association.* Seller shall within 10 or _____ days following the Date of Agreement provide Buyer with a statement and transfer package from any owner's association servicing the Property. Such transfer package shall at a minimum include: copies of the association's bylaws, articles of incorporation, current budget and financial statement. Buyer has 10 days from the receipt of such documents to satisfy itself with regard to the association.~~

(j) *Other Agreements.* Seller shall within 10 or _____ days following the Date of Agreement provide Buyer with legible copies of all other agreements (**"Other Agreements"**) known to Seller that will affect the Property after Closing. Buyer has 10 days from the receipt of said Other Agreements to satisfy itself with regard to such Agreements.

(k) *Financing.* If paragraph 6 hereof dealing with a financing contingency has not been stricken, the satisfaction or waiver of such New Loan contingency.

(l) *Existing Notes.* If paragraph 3.1(c) has not been stricken, Seller shall within 10 or _____ days following the Date of Agreement provide Buyer with legible copies of the Existing Notes, Existing Deeds of Trust and related agreements (collectively, **"Loan Documents"**) to which the Property will remain subject after the Closing. Escrow Holder shall promptly request from the holders of the Existing Notes a beneficiary statement (**"Beneficiary Statement"**) confirming: (1) the amount of the unpaid principal balance, the current interest rate, and the date to which interest is paid, and (2) the nature and amount of any impounds held by the beneficiary in connection with such loan. Buyer has 10 or _____ days following the receipt of the Loan Documents and Beneficiary Statements to satisfy itself with regard to such financing. Buyer's obligation to close is conditioned upon Buyer being able to purchase the Property without acceleration or change in the terms of any Existing Notes or charges to Buyer except as otherwise provided in this Agreement or approved by Buyer, provided, however, Buyer shall pay the transfer fee referred to in paragraph 3.2 hereof. Likewise if Seller is to carry back a Purchase Money Note then Seller shall within 10 or _____ days following the Date of Agreement provide Buyer with a copy of the proposed Purchase Money Note and Purchase Money Deed of Trust. Buyer has 10 or _____ days from the receipt of such documents to satisfy itself with regard to the form and content thereof.

(m) *Personal Property.* In the event that any personal property is included in the Purchase Price, Buyer has 10 or _____ days following the Date of Agreement to satisfy itself with regard to the title condition of such personal property. Seller recommends that Buyer obtain a UCC-1 report. Any such report shall be paid for by Buyer. Seller shall provide Buyer copies of any liens or encumbrances affecting such personal property that it is aware of within 10 or _____ days following the Date of Agreement.

(n) *Destruction, Damage or Loss.* Subsequent to the Date of Agreement and prior to Closing there shall not have occurred a destruction, or damage or loss to, the Property or any portion thereof, from any cause whatsoever, which would cost more than $10,000.00 to repair or cure. If the cost of repair or cure is $10,000.00 or less, Seller shall repair or cure the loss prior to the Closing. Buyer shall have the option, within 10 days after receipt of written notice of a loss costing more than $10,000.00 to repair or cure, to either terminate this Agreement or to purchase the Property notwithstanding such loss, but without deduction or offset against the Purchase Price. If the cost to repair or cure is more than $10,000.00, and Buyer does not elect to terminate this Agreement, Buyer shall be entitled to any insurance proceeds applicable to such loss. Unless otherwise notified in writing, Escrow Holder shall assume no such destruction, damage or loss has occurred prior to Closing.

(o) *Material Change.* Buyer shall have 10 days following receipt of written notice of a Material Change within which to satisfy itself with regard to such change. **"Material Change"** shall mean a substantial adverse change in the use, occupancy, tenants, title, or condition of the Property that occurs after the date of this offer and prior to the Closing. Unless otherwise notified in writing, Escrow Holder shall assume that no Material Change has occurred prior to the Closing.

(p) *Seller Performance.* The delivery of all documents and the due performance by Seller of each and every undertaking and agreement to be performed by Seller under this Agreement.

(q) *Brokerage Fee.* Payment at the Closing of such brokerage fee as is specified in this Agreement or later written instructions to Escrow Holder executed by Seller and Brokers (**"Brokerage Fee"**). It is agreed by the Parties and Escrow Holder that Brokers are a third party beneficiary of this Agreement insofar as the Brokerage Fee is concerned, and that no change shall be made with respect to the payment of the Brokerage Fee specified in this Agreement, without the written consent of Brokers.

9.2 All of the contingencies specified in subparagraphs (a) through (m) of paragraph 9.1 are for the benefit of, and may be waived by, Buyer, and may be elsewhere herein referred to as **"Buyer's Contingencies."**

9.3 If any of Buyer's Contingencies or any other matter subject to Buyer's approval is disapproved as provided for herein in a timely manner (**"Disapproved Item"**), Seller shall have the right within 10 days following the receipt of notice of Buyer's disapproval to elect to cure such Disapproved Item prior to the Expected Closing Date (**"Seller's Election"**). Seller's failure to give to Buyer within such period, written notice of Seller's commitment to cure such Disapproved Item on or before the Expected Closing Date shall be conclusively presumed to be Seller's Election not to cure such Disapproved Item. If Seller elects, either by written notice or failure to give written notice, not to cure a Disapproved Item, Buyer shall have the right within 10 days after Seller's Election to either accept title to the Property subject to such Disapproved Item, or to terminate this Agreement. Buyer's failure to notify Seller in writing of Buyer's election to accept title to the Property subject to the Disapproved Item without deduction or offset shall constitute Buyer's election to terminate this Agreement. Unless expressly provided otherwise herein, Seller's right to cure shall not apply to the remediation of Hazardous Substance Conditions or to the Financing Contingency. Unless the Parties mutually instruct otherwise, if the time periods for the satisfaction of contingencies or for Seller's and Buyer's elections would expire on a date after the Expected Closing Date, the Expected Closing Date shall be deemed extended for 3 business days following the expiration of: (a) the applicable contingency

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period(s), (b) the period within which the Seller may elect to cure the Disapproved Item, or (c) if Seller elects not to cure, the period within which Buyer may elect to proceed with this transaction, whichever is later.

9.4 The Parties acknowledge that extensive local, state and Federal legislation establish broad liability upon owners and/or users of real property for the investigation and remediation of Hazardous Substances. The determination of the existence of a Hazardous Substance Condition and the evaluation of the impact of such a condition are highly technical and beyond the expertise of Brokers. The Parties acknowledge that they have been advised by Brokers to consult their own technical and legal experts with respect to the possible presence of Hazardous Substances on the Property or adjoining properties, and Buyer and Seller are not relying upon any investigation by or statement of Brokers with respect thereto. The Parties hereby assume all responsibility for the impact of such Hazardous Substances upon their respective interests herein.

10. Documents Required at or Before Closing:

10.1 Five days prior to the Closing date Escrow Holder shall obtain an updated Title Commitment concerning the Property from the Title Company and provide copies thereof to each of the Parties.

10.2 Seller shall deliver to Escrow Holder in time for delivery to Buyer at the Closing:

(a) Grant or general warranty deed, duly executed and in recordable form, conveying fee title to the Property to Buyer,

(b) If applicable, the Beneficiary Statements concerning Existing Note(s).

(c) If applicable, the Existing Leases and Other Agreements together with duly executed assignments thereof by Seller and Buyer. The assignment of Existing Leases shall be on the most recent Assignment and Assumption of Lessor's Interest in Lease form published by the AIR or its equivalent.

(d) An affidavit executed by Seller to the effect that Seller is not a "foreign person" within the meaning of Internal Revenue Code Section 1445 or successor statutes. If Seller does not provide such affidavit in form reasonably satisfactory to Buyer at least 3 business days prior to the Closing, Escrow Holder shall at the Closing deduct from Seller's proceeds and remit to the Internal Revenue Service such sum as is required by applicable Federal law with respect to purchases from foreign sellers.

(e) If the Property is located in California, an affidavit executed by Seller to the effect that Seller is not a "nonresident" within the meaning of California Revenue and Tax Code Section 18662 or successor statutes. If Seller does not provide such affidavit in form reasonably satisfactory to Buyer at least 3 business days prior to the Closing, Escrow Holder shall at the Closing deduct from Seller's proceeds and remit to the Franchise Tax Board such sum as is required by such statute.

(gif) If applicable, a bill of sale, duly executed, conveying title to any included personal property to Buyer.

(g) If the Seller is a corporation, a duly executed corporate resolution authorizing the execution of this Agreement and the sale of the Property.

10.3 Buyer shall deliver to Seller through Escrow:

(a) The cash portion of the Purchase Price and such additional sums as are required of Buyer under this Agreement shall be deposited by Buyer with Escrow Holder, by federal funds wire transfer, or any other method acceptable to Escrow Holder in immediately collectable funds, no later than 2:00 P.M. on the business day prior to the Expected Closing Date provided, however, that Buyer shall not be required to deposit such monies into Escrow if at the time set for the deposit of such monies Seller is in default or has indicated that it will not perform any of its obligations hereunder. Instead, in such circumstances in order to reserve its rights to proceed Buyer need only provide Escrow with evidence establishing that the required monies were available.

(b) If a Purchase Money Note and Purchase Money Deed of Trust are called for by this Agreement, the duly executed originals of those documents, the Purchase Money Deed of Trust being in recordable form, together with evidence of fire insurance on the improvements in the amount of the full replacement cost naming Seller as a mortgage loss payee, and a real estate tax service contract (at Buyer's expense), assuring Seller of notice of the status of payment of real property taxes during the life of the Purchase Money Note.

(c) The Assignment and Assumption of Lessor's Interest in Lease form specified in paragraph 10.2(c) above, duly executed by Buyer.

(d) Assumptions duly executed by Buyer of the obligations of Seller that accrue after Closing under any Other Agreements.

(e) If applicable, a written assumption duly executed by Buyer of the loan documents with respect to Existing Notes.

(f) If the Buyer is a corporation, a duly executed corporate resolution authorizing the execution of this Agreement and the purchase of the Property.

10.4 At Closing, Escrow Holder shall cause to be issued to Buyer a standard coverage (or ALTA extended, if elected pursuant to 9.1(g)) owner's form policy of title insurance effective as of the Closing, issued by the Title Company in the full amount of the Purchase Price, insuring title to the Property vested in Buyer, subject only to the exceptions approved by Buyer. In the event there is a Purchase Money Deed of Trust in this transaction, the policy of title insurance shall be a joint protection policy insuring both Buyer and Seller.

IMPORTANT: IN A PURCHASE OR EXCHANGE OF REAL PROPERTY, IT MAY BE ADVISABLE TO OBTAIN TITLE INSURANCE IN CONNECTION WITH THE CLOSE OF ESCROW SINCE THERE MAY BE PRIOR RECORDED LIENS AND ENCUMBRANCES WHICH AFFECT YOUR INTEREST IN THE PROPERTY BEING ACQUIRED. A NEW POLICY OF TITLE INSURANCE SHOULD BE OBTAINED IN ORDER TO ENSURE YOUR INTEREST IN THE PROPERTY THAT YOU ARE ACQUIRING.

11. Prorations and Adjustments.

11.1 *Taxes.* Applicable real property taxes and special assessment bonds shall be prorated through Escrow as of the date of the Closing, based upon the latest tax bill available. The Parties agree to prorate as of the Closing any taxes assessed against the Property by supplemental bill levied by reason of events occurring prior to the Closing. Payment of the prorated amount shall be made promptly in cash upon receipt of a copy of any supplemental bill.

11.2 *Insurance.* **WARNING:** Any insurance which Seller may have maintained will terminate on the Closing. Buyer is advised to obtain appropriate insurance to cover the Property.

11.3 *Rentals, Interest and Expenses.* Scheduled rentals, interest on Existing Notes, utilities, and operating expenses shall be prorated as of the date of Closing. The Parties agree to promptly adjust between themselves outside of Escrow any rents received after the Closing.

11.4 *Security Deposit.* Security Deposits held by Seller shall be given to Buyer as a credit to the cash required of Buyer at the Closing.

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11.5 *Post Closing Matters.* Any item to be prorated that is not determined or determinable at the Closing shall be promptly adjusted by the Parties by appropriate cash payment outside of the Escrow when the amount due is determined.

11.6 *Variations in Existing Note Balances.* In the event that Buyer is purchasing the Property subject to an Existing Deed of Trust(s), and in the event that a Beneficiary Statement as to the applicable Existing Note(s) discloses that the unpaid principal balance of such Existing Note(s) at the closing will be more or less than the amount set forth in paragraph 3.1(c) hereof (**"Existing Note Variation"**), then the Purchase Money Note(s) shall be reduced or increased by an amount equal to such Existing Note Variation. If there is to be no Purchase Money Note, the cash required at the Closing per paragraph 3.1(a) shall be reduced or increased by the amount of such Existing Note Variation.

11.7 *Variations in New Loan Balance.* In the event Buyer is obtaining a New Loan and the amount ultimately obtained exceeds the amount set forth in paragraph 5.1, then the amount of the Purchase Money Note, if any, shall be reduced by the amount of such excess.

11.8 *Owner's Association Fees.* Escrow Holder shall: (i) bring Seller's account with the association current and pay any delinquencies or transfer fees from Seller's proceeds, and (ii) pay any up front fees required by the association from Buyer's funds.

12. Representations and Warranties of Seller and Disclaimers.

12.1 Seller's warranties and representations shall survive the Closing and delivery of the deed for a period of 3 years, and any lawsuit or action based upon them must be commenced within such time period. Seller's warranties and representations are true, material and relied upon by Buyer and Brokers in all respects. Seller hereby makes the following warranties and representations to Buyer and Brokers:

(a) *Authority of Seller.* Seller is the owner of the Property and/or has the full right, power and authority to sell, convey and transfer the Property to Buyer as provided herein, and to perform Seller's obligations hereunder.

(b) *Maintenance During Escrow and Equipment Condition At Closing.* Except as otherwise provided in paragraph 9.1(n) hereof, Seller shall maintain the Property until the Closing in its present condition, ordinary wear and tear excepted.

(c) *Hazardous Substances/Storage Tanks.* Seller has no knowledge, except as otherwise disclosed to Buyer in writing, of the existence or prior existence on the Property of any Hazardous Substance, nor of the existence or prior existence of any above or below ground storage tank.

(d) *Compliance.* Except as otherwise disclosed in writing, Seller has no knowledge of any aspect or condition of the Property which violates applicable laws, rules, regulations, codes or covenants, conditions or restrictions, or of improvements or alterations made to the Property without a permit where one was required, or of any unfulfilled order or directive of any applicable governmental agency or casualty insurance company requiring any investigation, remediation, repair, maintenance or improvement be performed on the Property.

(e) *Changes in Agreements.* Prior to the Closing, Seller will not violate or modify any Existing Lease or Other Agreement, or create any new leases or other agreements affecting the Property, without Buyer's written approval, which approval will not be unreasonably withheld.

(f) *Possessory Rights.* Seller has no knowledge that anyone will, at the Closing, have any right to possession of the Property, except as disclosed by this Agreement or otherwise in writing to Buyer.

(g) *Mechanics' Liens.* There are no unsatisfied mechanics' or materialmens' lien rights concerning the Property.

(h) *Actions, Suits or Proceedings.* Seller has no knowledge of any actions, suits or proceedings pending or threatened before any commission, board, bureau, agency, arbitrator, court or tribunal that would affect the Property or the right to occupy or utilize same.

(i) *Notice of Changes.* Seller will promptly notify Buyer and Brokers in writing of any Material Change (see paragraph 9.1(o)) affecting the Property that becomes known to Seller prior to the Closing.

(j) *No Tenant Bankruptcy Proceedings.* Seller has no notice or knowledge that any tenant of the Property is the subject of a bankruptcy or insolvency proceeding.

(k) *No Seller Bankruptcy Proceedings.* Seller is not the subject of a bankruptcy, insolvency or probate proceeding.

(l) *Personal Property.* Seller has no knowledge that anyone will, at the Closing, have any right to possession of any personal property included in the Purchase Price nor knowledge of any liens or encumbrances affecting such personal property, except as disclosed by this Agreement or otherwise in writing to Buyer.

12.2 Buyer hereby acknowledges that, except as otherwise stated in this Agreement, Buyer is purchasing the Property in its existing condition and will, by the time called for herein, make or have waived all inspections of the Property Buyer believes are necessary to protect its own interest in, and its contemplated use of, the Property. The Parties acknowledge that, except as otherwise stated in this Agreement, no representations, inducements, promises, agreements, assurances, oral or written, concerning the Property, or any aspect of the occupational safety and health laws, Hazardous Substance laws, or any other act, ordinance or law, have been made by either Party or Brokers, or relied upon by either Party hereto.

12.3 In the event that Buyer learns that a Seller representation or warranty might be untrue prior to the Closing, and Buyer elects to purchase the Property anyway then, and in that event, Buyer waives any right that it may have to bring an action or proceeding against Seller or Brokers regarding said representation or warranty.

12.4 Any environmental reports, soil reports, surveys, and other similar documents which were prepared by third party consultants and provided to Buyer by Seller or Seller's representatives, have been delivered as an accommodation to Buyer and without any representation or warranty as to the sufficiency, accuracy, completeness, and/or validity of said documents, all of which Buyer relies on at its own risk. Seller believes said documents to be accurate, but Buyer is advised to retain appropriate consultants to review said documents and investigate the Property.

13. Possession.

Possession of the Property shall be given to Buyer at the Closing subject to the rights of tenants under Existing Leases.

14. Buyer's Entry.

At any time during the Escrow period, Buyer, and its agents and representatives, shall have the right at reasonable times and subject to rights of tenants, to enter upon the Property for the purpose of making inspections and tests specified in this Agreement. No destructive testing shall be conducted, however, without Seller's prior approval which shall not be unreasonably withheld. Following any such entry or work, unless otherwise directed in writing by Seller, Buyer shall return the Property to the condition it was in prior to such entry or work, including the recompaction or removal of any disrupted soil or material as Seller may reasonably direct. All such inspections and tests and any other work conducted or

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materials furnished with respect to the Property by or for Buyer shall be paid for by Buyer as and when due and Buyer shall indemnify, defend, protect and hold harmless Seller and the Property of and from any and all claims, liabilities, losses, expenses (including reasonable attorneys' fees), damages, including those for injury to person or property, arising out of or relating to any such work or materials or the acts or omissions of Buyer, its agents or employees in connection therewith.

15. Further Documents and Assurances.

The Parties shall each, diligently and in good faith, undertake all actions and procedures reasonably required to place the Escrow in condition for Closing as and when required by this Agreement. The Parties agree to provide all further information, and to execute and deliver all further documents, reasonably required by Escrow Holder or the Title Company.

16. Attorneys' Fees.

If any Party or Broker brings an action or proceeding (including arbitration) involving the Property whether founded in tort, contract or equity, or to declare rights hereunder, the Prevailing Party (as hereafter defined) in any such proceeding, action, or appeal thereon, shall be entitled to reasonable attorneys' fees and costs. Such fees may be awarded in the same suit or recovered in a separate suit, whether or not such action or proceeding is pursued to decision or judgment. The term **"Prevailing Party"** shall include, without limitation, a Party or Broker who substantially obtains or defeats the relief sought, as the case may be, whether by compromise, settlement, judgment, or the abandonment by the other Party or Broker of its claim or defense. The attorneys' fees award shall not be computed in accordance with any court fee schedule, but shall be such as to fully reimburse all attorneys' fees reasonably incurred.

17. Prior Agreements/Amendments.

17.1 This Agreement supersedes any and all prior agreements between Seller and Buyer regarding the Property.

17.2 Amendments to this Agreement are effective only if made in writing and executed by Buyer and Seller.

18. Broker's Rights.

18.1 If this sale is not consummated due to the default of either the Buyer or Seller, the defaulting Party shall be liable to and shall pay to Brokers the Brokerage Fee that Brokers would have received had the sale been consummated. If Buyer is the defaulting party, payment of said Brokerage Fee is in addition to any obligation with respect to liquidated or other damages.

18.2 Upon the Closing, Brokers are authorized to publicize the facts of this transaction.

19. Notices.

19.1 Whenever any Party, Escrow Holder or Brokers herein shall desire to give or serve any notice, demand, request, approval, disapproval or other communication, each such communication shall be in writing and shall be delivered personally, by messenger or by mail, postage prepaid, to the address set forth in this Agreement or by facsimile transmission, electronic signature, digital signature, or email.

19.2 Service of any such communication shall be deemed made on the date of actual receipt if personally delivered, or transmitted by facsimile transmission, electronic signature, digital signature, or email. Any such communication sent by regular mail shall be deemed given 48 hours after the same is mailed. Communications sent by United States Express Mail or overnight courier that guarantee next day delivery shall be deemed delivered 24 hours after delivery of the same to the Postal Service or courier. If such communication is received on a Saturday, Sunday or legal holiday, it shall be deemed received on the next business day.

19.3 Any Party or Broker hereto may from time to time, by notice in writing, designate a different address to which, or a different person or additional persons to whom, all communications are thereafter to be made.

20. Duration of Offer.

20.1 If this offer is not accepted by Seller on or before 5:00 P.M. according to the time standard applicable to the city of Fresno, CA on the date of October 6, 2020, it shall be deemed automatically revoked.

20.2 The acceptance of this offer, or of any subsequent counteroffer hereto, that creates an agreement between the Parties as described in paragraph 1.2, shall be deemed made upon delivery to the other Party or either Broker herein of a duly executed writing unconditionally accepting the last outstanding offer or counteroffer.

21. LIQUIDATED DAMAGES. (This Liquidated Damages paragraph is applicable only if initialed by both Parties).

THE PARTIES AGREE THAT IT WOULD BE IMPRACTICABLE OR EXTREMELY DIFFICULT TO FIX, PRIOR TO SIGNING THIS AGREEMENT, THE ACTUAL DAMAGES WHICH WOULD BE SUFFERED BY SELLER IF BUYER FAILS TO PERFORM ITS OBLIGATIONS UNDER THIS AGREEMENT. THEREFORE, IF, AFTER THE SATISFACTION OR WAIVER OF ALL CONTINGENCIES PROVIDED FOR THE BUYER'S BENEFIT, BUYER BREACHES THIS AGREEMENT, SELLER SHALL BE ENTITLED TO LIQUIDATED DAMAGES IN THE AMOUNT OF $40,000.00. UPON PAYMENT OF SAID SUM TO SELLER, BUYER SHALL BE RELEASED FROM ANY FURTHER LIABILITY TO SELLER, AND ANY ESCROW CANCELLATION FEES AND TITLE COMPANY CHARGES SHALL BE PAID BY SELLER.

A.F
Buyer Initials

LTA
Seller Initials

22. ARBITRATION OF DISPUTES. *(This Arbitration of Disputes paragraph is applicable only if initialed by both Parties.)*

22.1 ANY CONTROVERSY AS TO WHETHER SELLER IS ENTITLED TO THE LIQUIDATED DAMAGES AND/OR BUYER IS ENTITLED TO THE RETURN OF DEPOSIT MONEY, SHALL BE DETERMINED BY BINDING ARBITRATION BY, AND UNDER THE COMMERCIAL RULES OF THE AMERICAN ARBITRATION ASSOCIATION ("**COMMERCIAL RULES**"). ARBITRATION HEARINGS SHALL BE HELD IN THE COUNTY WHERE THE PROPERTY IS LOCATED. THE NUMBER OF ARBITRATORS SHALL BE AS PROVIDED IN THE COMMERCIAL RULES AND EACH SUCH ARBITRATOR SHALL BE AN IMPARTIAL REAL ESTATE BROKER WITH AT LEAST 5 YEARS OF FULL TIME EXPERIENCE IN BOTH THE AREA WHERE THE PROPERTY IS LOCATED AND THE TYPE OF REAL ESTATE THAT IS THE SUBJECT OF THIS AGREEMENT. THE ARBITRATOR OR ARBITRATORS SHALL BE APPOINTED UNDER THE COMMERCIAL RULES AND SHALL HEAR AND DETERMINE SAID CONTROVERSY IN ACCORDANCE WITH APPLICABLE LAW, THE INTENTION OF THE PARTIES AS EXPRESSED IN THIS AGREEMENT AND ANY AMENDMENTS THERETO, AND UPON THE EVIDENCE PRODUCED AT AN ARBITRATION

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HEARING. PRE-ARBITRATION DISCOVERY SHALL BE PERMITTED IN ACCORDANCE WITH THE COMMERCIAL RULES OR STATE LAW APPLICABLE TO ARBITRATION PROCEEDINGS. THE AWARD SHALL BE RENDERED WITHIN 30 DAYS AFTER THE CONCLUSION OF THE HEARING, AND MAY INCLUDE ATTORNEYS' FEES AND COSTS TO THE PREVAILING PARTY PER PARAGRAPH 16 HEREOF. JUDGMENT MAY BE ENTERED ON THE AWARD IN ANY COURT OF COMPETENT JURISDICTION NOTWITHSTANDING THE FAILURE OF A PARTY DULY NOTIFIED OF THE ARBITRATION HEARING TO APPEAR THEREAT.

22.2 BUYER'S RESORT TO OR PARTICIPATION IN SUCH ARBITRATION PROCEEDINGS SHALL NOT BAR SUIT IN A COURT OF COMPETENT JURISDICTION BY THE BUYER FOR DAMAGES AND/OR SPECIFIC PERFORMANCE UNLESS AND UNTIL THE ARBITRATION RESULTS IN AN AWARD TO THE SELLER OF LIQUIDATED DAMAGES, IN WHICH EVENT SUCH AWARD SHALL ACT AS A BAR AGAINST ANY ACTION BY BUYER FOR DAMAGES AND/OR SPECIFIC PERFORMANCE.

22.3 NOTICE: BY INITIALING IN THE SPACE BELOW YOU ARE AGREEING TO HAVE ANY DISPUTE ARISING OUT OF THE MATTERS INCLUDED IN THE "ARBITRATION OF DISPUTES" PROVISION DECIDED BY NEUTRAL ARBITRATION AS PROVIDED BY CALIFORNIA LAW AND YOU ARE GIVING UP ANY RIGHTS YOU MIGHT POSSESS TO HAVE THE DISPUTE LITIGATED IN A COURT OR JURY TRIAL. BY INITIALING IN THE SPACE BELOW YOU ARE GIVING UP YOUR JUDICIAL RIGHTS TO DISCOVERY AND APPEAL, UNLESS SUCH RIGHTS ARE SPECIFICALLY INCLUDED IN THE "ARBITRATION OF DISPUTES" PROVISION. IF YOU REFUSE TO SUBMIT TO ARBITRATION AFTER AGREEING TO THIS PROVISION, YOU MAY BE COMPELLED TO ARBITRATE UNDER THE AUTHORITY OF THE CALIFORNIA CODE OF CIVIL PROCEDURE. YOUR AGREEMENT TO THIS ARBITRATION PROVISION IS VOLUNTARY.

WE HAVE READ AND UNDERSTAND THE FOREGOING AND AGREE TO SUBMIT DISPUTES ARISING OUT OF THE MATTERS INCLUDED IN THE "ARBITRATION OF DISPUTES" PROVISION TO NEUTRAL ARBITRATION.

_____ Buyer Initials _____ Seller Initials

23. Miscellaneous.

23.1 **Binding Effect.** This Agreement shall be binding on the Parties without regard to whether or not paragraphs 21 and 22 are initialed by both of the Parties. Paragraphs 21 and 22 are each incorporated into this Agreement only if initialed by both Parties at the time that the Agreement is executed. Signatures to this Agreement accomplished by means of electronic signature or similar technology shall be legal and binding.

23.2 **Applicable Law.** This Agreement shall be governed by, and paragraph 22.3 is amended to refer to, the laws of the state in which the Property is located. Any litigation or arbitration between the Parties hereto concerning this Agreement shall be initiated in the county in which the Property is located.

23.3 **Time of Essence.** Time is of the essence of this Agreement.

23.4 **Counterparts.** This Agreement may be executed by Buyer and Seller in counterparts, each of which shall be deemed an original, and all of which together shall constitute one and the same instrument. Escrow Holder, after verifying that the counterparts are identical except for the signatures, is authorized and instructed to combine the signed signature pages on one of the counterparts, which shall then constitute the Agreement.

23.5 **Waiver of Jury Trial. THE PARTIES HEREBY WAIVE THEIR RESPECTIVE RIGHTS TO TRIAL BY JURY IN ANY ACTION OR PROCEEDING INVOLVING THE PROPERTY OR ARISING OUT OF THIS AGREEMENT.**

23.6 **Conflict.** Any conflict between the printed provisions of this Agreement and the typewritten or handwritten provisions shall be controlled by the typewritten or handwritten provisions. **Seller and Buyer must initial any and all handwritten provisions.**

23.7 **1031 Exchange.** Both Seller and Buyer agree to cooperate with each other in the event that either or both wish to participate in a 1031 exchange. Any party initiating an exchange shall bear all costs of such exchange. The cooperating Party shall not have any liability (special or otherwise) for damages to the exchanging Party in the event that the sale is delayed and/or that the sale otherwise fails to qualify as a 1031 exchange.

23.8 **Days.** Unless otherwise specifically indicated to the contrary, the word "days" as used in this Agreement shall mean and refer to calendar days.

24. Disclosures Regarding The Nature of a Real Estate Agency Relationship.

24.1 The Parties and Brokers agree that their relationship(s) shall be governed by the principles set forth in the applicable sections of the California Civil Code, as summarized in paragraph 24.2.

24.2 When entering into a discussion with a real estate agent regarding a real estate transaction, a Buyer or Seller should from the outset understand what type of agency relationship or representation it has with the agent or agents in the transaction. Buyer and Seller acknowledge being advised by the Brokers in this transaction, as follows:

(a) *Seller's Agent.* A Seller's agent under a listing agreement with the Seller acts as the agent for the Seller only. A Seller's agent or subagent has the following affirmative obligations: (1) *To the Seller:* A fiduciary duty of utmost care, integrity, honesty, and loyalty in dealings with the Seller. (2) *To the Buyer and the Seller:* a. Diligent exercise of reasonable skills and care in performance of the agent's duties. b. A duty of honest and fair dealing and good faith. c. A duty to disclose all facts known to the agent materially affecting the value or desirability of the property that are not known to, or within the diligent attention and observation of, the Parties. An agent is not obligated to reveal to either Party any confidential information obtained from the other Party which does not involve the affirmative duties set forth above.

(b) *Buyer's Agent.* A selling agent can, with a Buyer's consent, agree to act as agent for the Buyer only. In these situations, the agent is not the Seller's agent, even if by agreement the agent may receive compensation for services rendered, either in full or in part from the Seller. An agent acting only for a Buyer has the following affirmative obligations. (1) *To the Buyer:* A fiduciary duty of utmost care, integrity, honesty, and loyalty in dealings with the Buyer. (2) *To the Buyer and the Seller:* a. Diligent exercise of reasonable skills and care in performance of the agent's duties. b. A duty of honest and fair dealing and good faith. c. A duty to disclose all facts known to the agent materially affecting the value or desirability of the property that are not known to, or within the diligent attention and observation of, the Parties. An agent is not obligated to reveal to either Party any confidential information obtained from the other Party which does not involve the affirmative duties set forth above.

(c) *Agent Representing Both Seller and Buyer.* A real estate agent, either acting directly or through one or more associate licenses, can legally be the agent of both the Seller and the Buyer in a transaction, but only with the knowledge and consent of both the Seller and the

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Buyer. (1) In a dual agency situation, the agent has the following affirmative obligations to both the Seller and the Buyer: a. A fiduciary duty of utmost care, integrity, honesty and loyalty in the dealings with either Seller or the Buyer. b. Other duties to the Seller and the Buyer as stated above in their respective sections (a) or (b) of this paragraph 24.2. (2) In representing both Seller and Buyer, the agent may, not without the express permission of the respective Party, disclose to the other Party confidential information, including, but not limited to, facts relating to either Buyer's or Seller's financial position, motivations, bargaining position, or other personal information that may impact price, including Seller's willingness to accept a price less than the listing price or Buyer's willingness to pay a price greater than the price offered. (3) The above duties of the agent in a real estate transaction do not relieve a Seller or Buyer from the responsibility to protect their own interests. Buyer and Seller should carefully read all agreements to assure that they adequately express their understanding of the transaction. A real estate agent is a person qualified to advise about real estate. If legal advice is desired, consult a competent professional. Buyer has the duty to exercise reasonable care to protect Buyer, including as to those facts about the Property which are known to Buyer or within Buyer's diligent attention and observation. Both Seller and Buyer should strongly consider obtaining tax advice from a competent professional because the federal and state tax consequences of a transaction can be complex and subject to change.

(d) *Further Disclosures.* Throughout this transaction Buyer and Seller may receive more than one disclosure, depending upon the number of agents assisting in the transaction. Buyer and Seller should each read its contents each time it is presented, considering the relationship between them and the real estate agent in this transaction and that disclosure. Buyer and Seller each acknowledge receipt of a disclosure of the possibility of multiple representation by the Broker representing that principal. This disclosure may be part of a listing agreement, buyer representation agreement or separate document. Buyer understands that Broker representing Buyer may also represent other potential buyers, who may consider, make offers on or ultimately acquire the Property. Seller understands that Broker representing Seller may also represent other sellers with competing properties that may be of interest to this Buyer. Brokers have no responsibility with respect to any default or breach hereof by either Party. The Parties agree that no lawsuit or other legal proceeding involving any breach of duty, error or omission relating to this transaction may be brought against Broker more than one year after the Date of Agreement and that the liability (including court costs and attorneys' fees), of any Broker with respect to any breach of duty, error or omission relating to this Agreement shall not exceed the fee received by such Broker pursuant to this Agreement; provided, however, that the foregoing limitation on each Broker's liability shall not be applicable to any gross negligence or willful misconduct of such Broker.

24.3 *Confidential Information:* Buyer and Seller agree to identify to Brokers as "Confidential" any communication or information given Brokers that is considered by such Party to be confidential.

25. Construction of Agreement. In construing this Agreement, all headings and titles are for the convenience of the Parties only and shall not be considered a part of this Agreement. Whenever required by the context, the singular shall include the plural and vice versa. This Agreement shall not be construed as if prepared by one of the Parties, but rather according to its fair meaning as a whole, as if both Parties had prepared it.

26. Additional Provisions:

Additional provisions of this offer, if any, are as follows or are attached hereto by an addendum or addenda consisting of paragraphs 26.1 through 26.4. (If there are no additional provisions write "NONE".)

26.1 In reference to paragraph 2.3, The Property includes, at no additional cost to Buyer, the following items: business assets include all fixed auditorium chairs and fixed furnishings not referenced in 26.2.

26.2 In reference to paragraph 2.3, The Property DOES NOT include The tower business entities and all rights therein, including "Tower Theater" brand rights, Lobby etched glass of the Huntsman, all lighting/sound/projection equipment and ancillary equipment, JBL speakers on the sides of auditorium, all memorabilia /decorations/product within the Tower Gift Shop, all cooking/bar equipment and tables/chairs in the tower lounge, personal art work and paintings, all office equipment and computers, lighting truss, and all other items present at the date of agreement.

26.3 All inspections shall be pre-arranged with at least 24 hours notice and at a date/time deemed acceptable by SELLER. There shall be no unarranged showings or unexpected tours.

26.4 Seller shall have one week post close of escrow to cancel current contracts/shows/events.

ATTENTION: NO REPRESENTATION OR RECOMMENDATION IS MADE BY THE AIR CRE OR BY ANY BROKER AS TO THE LEGAL SUFFICIENCY, LEGAL EFFECT, OR TAX CONSEQUENCES OF THIS AGREEMENT OR THE TRANSACTION TO WHICH IT RELATES. THE PARTIES ARE URGED TO:

1. SEEK ADVICE OF COUNSEL AS TO THE LEGAL AND TAX CONSEQUENCES OF THIS AGREEMENT.

2. RETAIN APPROPRIATE CONSULTANTS TO REVIEW AND INVESTIGATE THE CONDITION OF THE PROPERTY. SAID INVESTIGATION SHOULD INCLUDE BUT NOT BE LIMITED TO: THE POSSIBLE PRESENCE OF HAZARDOUS SUBSTANCES, THE ZONING OF THE PROPERTY, THE INTEGRITY AND CONDITION OF ANY STRUCTURES AND OPERATING SYSTEMS, AND THE SUITABILITY OF THE PROPERTY FOR BUYER'S INTENDED USE.

WARNING: IF THE PROPERTY IS LOCATED IN A STATE OTHER THAN CALIFORNIA, CERTAIN PROVISIONS OF THIS AGREEMENT MAY NEED TO BE REVISED TO COMPLY WITH THE LAWS OF THE STATE IN WHICH THE PROPERTY IS LOCATED.

NOTE:

1. THIS FORM IS NOT FOR USE IN CONNECTION WITH THE SALE OF RESIDENTIAL PROPERTY.
2. IF EITHER PARTY IS A CORPORATION, IT IS RECOMMENDED THAT THIS AGREEMENT BE SIGNED BY TWO CORPORATE OFFICERS.

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The undersigned Buyer offers and agrees to buy the Property on the terms and conditions stated and acknowledges receipt of a copy hereof.

Date: 9/23/20

BROKER
eXp Realty of California, Inc.

Att: Bill Richardson
Title:
Address: 2603 Camino Ramon Suite #200
San Ramon, CA 94583
Phone: (559)473-5333
Fax:
Email: bill@fresyes.com
Federal ID No.:
Broker DRE License #: 01878277
Agent DRE License #: 01924226

BUYER
Adventure Church, Inc.

By:
Name Printed: Adventure Church Inc.
Title:
Phone:
Fax:
Email:

By:
Name Printed:
Title:
Phone:
Fax:
Email:

Address:

Federal ID No.:

27. **Acceptance.**

27.1 Seller accepts the foregoing offer to purchase the Property and hereby agrees to sell the Property to Buyer on the terms and conditions therein specified.

27.2 In consideration of real estate brokerage service rendered by Brokers, Seller agrees to pay Brokers a real estate Brokerage Fee in a sum equal to 2.000 % of the Purchase Price to be divided between the Brokers as follows: Seller's Broker 1.000 % and Buyer's Broker 1.000 %. This Agreement shall serve as an irrevocable instruction to Escrow Holder to pay such Brokerage Fee to Brokers out of the proceeds accruing to the account of Seller at the Closing.

27.3 Seller acknowledges receipt of a copy hereof and authorizes Brokers to deliver a signed copy to Buyer.

NOTE: A PROPERTY INFORMATION SHEET IS REQUIRED TO BE DELIVERED TO BUYER BY SELLER UNDER THIS AGREEMENT.

Date: 9-29-2020

BROKER
Strong Holdings, Inc., DBA KW Commercial

Att: Kevin Land & Jared Ennis
Title:
Address: 740 W Alluvial Ave #102,Fresno, CA 93711
400 E. Main St., Suite 110, Visalia, CA
Phone: (559)302-8698
Fax: (559)432-9324
Email: kevin @ / jared@centralcacommercial.com
Federal ID No.:
Broker DRE License #: 01864461 & 01841795
Agent DRE License #: 01945284 & 01516541

SELLER
Tower Theater Productions For the The Performing Arts, a CA nonprofit Public Benefit Corporation

By:
Name Printed: Laurence Abbate
Title:
Phone: (559)999-3174
Fax:
Email: laurence.abbate@sbcglobal.net

By:
Name Printed: James L. Abbate & Andrea Abbate
Title:
Phone:
Fax:
Email:

Address: 815 E. Olive Ave, Fresno, CA 93728

Federal ID No.:

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AIR CRE

ADDENDUM TO THE STANDARD OFFER, AGREEMENT AND ESCROW INSTRUCTIONS FOR PURCHASE OF REAL ESTATE

Date: September 28, 2020

By and Between

Buyer: Adventure Church, Inc.

Seller: Tower Theater Productions For the The Performing

Property Address: 777-815 E Olive Ave , Fresno, CA 93728

(street address, city, state, zip)

This Addendum is attached and made part of the above-referenced Agreement (said Agreement and the Addendum are hereinafter collectively referred to as the "Agreement"). In the event of any conflict between the provisions of this Addendum and the printed provisions of the Agreement, this Addendum shall control.

28 OPTION TO PURCHASE:

(a.) SELLER hereby grants to BUYER an option to purchase the adjacent Premises com,monly known as 1247 N Wishon Ave, Fresno, CA 93728 upon the terms and conditions herein set forth.

(b.) In order to exercise this option to purchase, BUYER must give written notice of the exercise of the option to SELLER during the period from the close of escrow of 777-815 E Olive Ave , Fresno, CA 93728 to December 31, 2021 (the "Option Period"), time being of the essence. If such notice is not so given, this option shall automatically expire. At the same time the option is exercised, BUYER must deliver to SELLER a cashier's check in the amount of $25,000 payable to SELLER, and for the Deposit referred to in paragraph 4.1 of the Standard Offer, Agreement and Escrow Instructions for the Purchase of Real Estate.

(c.) If BUYER elects to exercise this option to purchase, the purchase price to be paid by BUYER shall be $1,050,000.

(d.) Within 7 days after this option to purchase is exercised, SELLER and BUYER shall give instructions to consummate the sale to Chicago Title (Sue Meyer), located at 7330 N Palm Ave #101, Fresno CA 93711, who shall act as escrow holder, on the normal and usual escrow forms then used by such escrow holder, as per the terms of the attached Standard Offer, Agreement and Escrow Instructions for the Purchase of Real Estate for 1247 N Wishon Ave, Fresno, CA 93728.

BUYER: _____ SELLER: _____

9-29-2020

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Phone: 5593028698 Fax: 5594329324 Jared Ennis

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EXHIBIT "2"

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AIR

1st AMENDMENT TO PURCHASE AND SALE AGREEMENT

THIS AMENDMENT TO PURCHASE AND SALE AGREEMENT AND ESCROW INSTRUCTIONS ("Amendment") is made and entered into as of October 7, 2020, by and between Adventure Church, Inc. ("Buyer") and Tower Theatre Productions For the Performing Arts ("Seller") (collectively, the "Parties" or individually, a "Party").

WHEREAS, Buyer and Seller are parties to that certain Standard Offer, Agreement and Escrow Instructions for Purchase of Real Estate dated September 23, 2020 ("Agreement") with respect to the property commonly known as (street address, city, state, zip) 777 E Olive Ave, Fresno, CA 93728-3350 ("Property");

WHEREAS, the Agreement has not been previously amended except (if there are no exceptions write "NONE"): NONE

WHEREAS, the Parties have opened an escrow with Chicago Title ("Escrow Holder");

WHEREAS, the Parties now desire to amend the Agreement and their instructions to Escrow Holder ("Escrow Instructions"),

NOW, THEREFORE, for Buyer's payment of ten dollars ($10) to Seller and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Parties hereby amend the Agreement and the Escrow Instructions as follows (list changes below):

For paragraph 2.1 of PSA the property description shall include 42,798 building on 19,287 acre lot on A.P.N 451-265-02. For paragraph 3.1 of the PSA the purchase price shall be $4,015,000. The seller to also credit the buyer $65,000 for closing cost.

The defined terms of the Agreement shall have the same meaning in this Amendment. Signatures to this Amendment accomplished by means of electronic signature or similar technology shall be legal and binding. This Amendment may be executed in counterparts, each of which shall be deemed an original, and all of which together shall constitute one and the same instrument. This Amendment shall not be construed as if prepared by one of the Parties, but according to its fair meaning as a whole, as if both Parties had prepared it. Except as specifically amended by this Amendment, the Agreement and the Escrow Instructions shall remain unchanged and continue in full force and effect.

ATTENTION: NO REPRESENTATION OR RECOMMENDATION ISMADE BY AIR CRE OR BY ANY BROKERS AS TO THE LEGAL SUFFICIENCY, LEGAL EFFECT, OR TAX CONSEQUENCES OF THIS AMENDMENT. THE PARTIES ARE URGED TO SEEK ADVICE OF COUNSEL AS TO THE LEGAL AND TAX CONSEQUENCES OF THIS AMENDMENT.

EXECUTED as of the date first written above

SELLER:
Tower Theatre Productions For the The Performing Arts, a CA nonprofit Public Benefit Corporation

By:
Name Printed: Lawrence Abbate
Title:
Phone: (559)259-5114
Fax:
Email: lawrence.abbate@sbcglobal.net

By:
Name Printed: James L. Abbate & Andrea Abbate
Title:
Phone:
Fax:
Email:

Address: 815 E. Olive Ave, Fresno, CA 93728

Federal ID No.:

BUYER:
Adventure Church, Inc.

By:
Name Printed: Adventure Church Inc.
Title:
Phone:
Fax:
Email:

By:
Name Printed:
Title:
Phone:
Fax:
Email:

Address:

Federal ID No.:

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AIR

2nd AMENDMENT TO PURCHASE AND SALE AGREEMENT

THIS AMENDMENT TO PURCHASE AND SALE AGREEMENT AND ESCROW INSTRUCTIONS ("Amendment") is made and entered into as of October 8, 2020, by and between Adventure Church, Inc. ("Buyer") and Tower Theater Productions For the The Performing ("Seller") (collectively, the "Parties" or individually, a "Party").

WHEREAS, Buyer and Seller are parties to that certain Standard Offer, Agreement and Escrow Instructions for Purchase of Real Estate dated September 23, 2020 ("Agreement") with respect to the property commonly known as (street address, city, state, zip): 777 E Olive Ave, Fresno, CA 93728-3350 ("Property");

WHEREAS, the Agreement has not been previously amended except (if there are no exceptions write "NONE"): NONE

WHEREAS, the Parties have opened an escrow with Chicago Title ("Escrow Holder");

WHEREAS, the Parties now desire to amend the Agreement and their instructions to Escrow Holder ("Escrow Instructions");

NOW, THEREFORE, for Buyer's payment of ten dollars ($10) to Seller and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Parties hereby amend the Agreement and the Escrow Instructions as follows (list changes below):
Per paragraph 9.1 contingencies to closing shall be extended an additional 15 days to put the contingency period to November 27, 2020 and the closing date to December 12, 2020.

The defined terms of the Agreement shall have the same meaning in this Amendment. Signatures to this Amendment accomplished by means of electronic signature or similar technology shall be legal and binding. This Amendment may be executed in counterparts, each of which shall be deemed an original, and all of whichtogether shall constitute one and the same instrument. This Amendment shall not be construed as if prepared by one of the Parties, but according to its fair meaning as a whole, as if both Parties had prepared it. Except as specifically amended by this Amendment, the Agreement and the Escrow Instructions shall remain unchanged and continue in full force and effect.

ATTENTION: NO REPRESENTATION OR RECOMMENDATION ISMADE BY AIR CRE OR BY ANY BROKERS AS TO THE LEGAL SUFFICIENCY, LEGAL EFFECT, OR TAX CONSEQUENCES OF THIS AMENDMENT. THE PARTIES ARE URGED TO SEEK ADVICE OF COUNSEL AS TO THE LEGAL AND TAX CONSEQUENCES OF THIS AMENDMENT.

EXECUTED as of the date first written above.

SELLER:
Tower Theater Productions For the The Performing Arts, a CA nonprofit Public Benefit Corporation

By:
Name Printed: Laurence Abbate
Title:
Phone: (559) 999-3174
Fax:
Email: laurence.abbate@pbyglobal.net

By:
Name Printed: James L. Abbate & Andrea Abbate
Title:
Phone:
Fax:
Email:

Address: 815 E. Olive Ave, Fresno, CA 93728

Federal ID No.:

BUYER:
Adventure Church, Inc.

By:
Name Printed: Adventure Church Inc
Title:
Phone:
Fax:
Email:

By:
Name Printed:
Title:
Phone:
Fax:
Email:

Address:

Federal ID No.:

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Jared Earle
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AIR

3rd AMENDMENT TO PURCHASE AND SALE AGREEMENT

THIS AMENDMENT TO PURCHASE AND SALE AGREEMENT AND ESCROW INSTRUCTIONS ("Amendment") is made and entered into as of November 16, 2020, by and between Adventure Church, Inc. ("Buyer") and Tower Theater Productions For the The Performing ("Seller") (collectively, the "Parties" or individually, a "Party").

WHEREAS, Buyer and Seller are parties to that certain Standard Offer, Agreement and Escrow Instructions for Purchase of Real Estate dated September 23, 2020 ("Agreement") with respect to the property commonly known as (street address, city, state, zip): 777 E Olive Ave, Fresno, CA 93728-3350 ("Property");

WHEREAS, the Agreement has not been previously amended except (if there are no exceptions write "NONE"): NONE.

WHEREAS, the Parties have opened an escrow with Chicago Title ("Escrow Holder");

WHEREAS, the Parties now desire to amend the Agreement and their instructions to Escrow Holder ("Escrow Instructions");

NOW, THEREFORE, for Buyer's payment of ten dollars ($10) to Seller and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Parties hereby amend the Agreement and the Escrow Instructions as follows (list changes below):

Seller to provide buyer a credit in the amount of $7,680 towards closing costs to this transaction.

The defined terms of the Agreement shall have the same meaning in this Amendment. Signatures to this Amendment accomplished by means of electronic signature or similar technology shall be legal and binding. This Amendment may be executed in counterparts, each of which shall be deemed an original, and all of which together shall constitute one and the same instrument. This Amendment shall not be construed as if prepared by one of the Parties, but according to its fair meaning as a whole, as if both Parties had prepared it. Except as specifically amended by this Amendment, the Agreement and the Escrow Instructions shall remain unchanged and continue in full force and effect.

ATTENTION: NO REPRESENTATION OR RECOMMENDATION ISMADE BY AIR CRE OR BY ANY BROKERS AS TO THE LEGAL SUFFICIENCY, LEGAL EFFECT, OR TAX CONSEQUENCES OF THIS AMENDMENT. THE PARTIES ARE URGED TO SEEK ADVICE OF COUNSEL AS TO THE LEGAL AND TAX CONSEQUENCES OF THIS AMENDMENT.

EXECUTED as of the date first written above.

SELLER:
Tower Theater Productions For the The Performing Arts, a CA nonprofit Public Benefit Corporation
By: Laurence Abbate
Name Printed: Laurence Abbate
Title:
Phone: (559)999-3174
Fax:
Email: laurence.abbate@sbcglobal.net

By:
Name Printed: James L. Abbate & Andrea Abbate
Title:
Phone:
Fax:
Email:

Address: 815 E. Olive Ave, Fresno, CA 93728
Federal ID No.:

BUYER:
Adventure Church, Inc.
By:
Name Printed: Adventure Church Inc.
Title:
Phone:
Fax:
Email:

By:
Name Printed:
Title:
Phone:
Fax:
Email:

Address:
Federal ID No.:

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AIR

4th AMENDMENT TO PURCHASE AND SALE AGREEMENT

THIS AMENDMENT TO PURCHASE AND SALE AGREEMENT AND ESCROW INSTRUCTIONS ("Amendment") is made and entered into as of November 20, 2020, by and between Adventure Church, Inc ("Buyer") and Tower Theater Productions For the The Performing ("Seller") (collectively, the "Parties" or individually, a "Party").

WHEREAS, Buyer and Seller are parties to that certain Standard Offer, Agreement and Escrow Instructions for Purchase of Real Estate dated September 23, 2020 ("Agreement") with respect to the property commonly known as (street address, city, state, zip): 777 E Olive Ave, Fresno, CA 93728-3350 ("Property");

WHEREAS, the Agreement has not been previously amended except (if there are no exceptions write "NONE"): NONE

WHEREAS, the Parties have opened an escrow with Chicago Title ("Escrow Holder");

WHEREAS, the Parties now desire to amend the Agreement and their instructions to Escrow Holder ("Escrow Instructions");

NOW, THEREFORE, for Buyer's payment of ten dollars ($10) to Seller and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Parties hereby amend the Agreement and the Escrow Instructions as follows (list changes below):

The Close of Escrow shall be changed to January 15, 2021.

The defined terms of the Agreement shall have the same meaning in this Amendment. Signatures to this Amendment accomplished by means of electronic signature or similar technology shall be legal and binding. This Amendment may be executed in counterparts, each of which shall be deemed an original, and all of which together shall constitute one and the same instrument. This Amendment shall not be construed as if prepared by one of the Parties, but according to its fair meaning as a whole, as if both Parties had prepared it. Except as specifically amended by this Amendment, the Agreement and the Escrow Instructions shall remain unchanged and continue in full force and effect.

ATTENTION: NO REPRESENTATION OR RECOMMENDATION ISMADE BY AIR CRE OR BY ANY BROKERS AS TO THE LEGAL SUFFICIENCY, LEGAL EFFECT, OR TAX CONSEQUENCES OF THIS AMENDMENT. THE PARTIES ARE URGED TO SEEK ADVICE OF COUNSEL AS TO THE LEGAL AND TAX CONSEQUENCES OF THIS AMENDMENT.

EXECUTED as of the date first written above.

SELLER:
Tower Theater Productions For the The Performing Arts, a Non-Profit Public Benefit Corporation
By: Laurence Abbate
Name Printed: Laurence Abbate
Title:
Phone: (559)999-3174
Fax:
Email: laurence.abbate@sbcglobal.net

By:
Name Printed: James L. Abbate & Andrea Abbate
Title:
Phone:
Fax:
Email:

Address: 815 E. Olive Ave, Fresno, CA 93728

Federal ID No.:

BUYER:
Adventure Church, Inc.
By:
Name Printed: Adventure Church Inc.
Title:
Phone:
Fax:
Email:

By:
Name Printed:
Title:
Phone:
Fax:
Email:

Address:

Federal ID No.:

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5th AMENDMENT TO PURCHASE AND SALE AGREEMENT

THIS AMENDMENT TO PURCHASE AND SALE AGREEMENT AND ESCROW INSTRUCTIONS ("Amendment") is made and entered into as of January 14, 2021, by and between Adventure Church, Inc. ("Buyer") and Tower Theatre Foundation For the The Performing Arts, a CA Nonprofit Public Benefit Corporation ("Seller") (collectively, the "Parties" or individually, a "Party").

WHEREAS, Buyer and Seller are parties to that certain Standard Offer, Agreement and Escrow Instructions for Purchase of Real Estate dated September 23, 2020 ("Agreement") with respect to the property commonly known as (street address, city, state, zip) 777 E Olive Ave, Fresno, CA 93728-3950 ("Property");

WHEREAS, the Agreement has not been previously amended except (if there are no exceptions write "NONE"): NONE

WHEREAS, the Parties have opened an escrow with Chicago Title ("Escrow Holder");

WHEREAS, the Parties now desire to amend the Agreement and their instructions to Escrow Holder ("Escrow Instructions");

NOW, THEREFORE, for Buyer's payment of ten dollars ($10) to Seller and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Parties hereby amend the Agreement and the Escrow Instructions as follows (list changes below):

The Close of Escrow shall be changed to February 12, 2021, or sooner.

The defined terms of the Agreement shall have the same meaning in this Amendment. Signatures to this Amendment accomplished by means of electronic signature or similar technology shall be legal and binding. This Amendment may be executed in counterparts, each of which shall be deemed an original, and all of which together shall constitute one and the same instrument. This Amendment shall not be construed as if prepared by one of the Parties, but according to its fair meaning as a whole, as if both Parties had prepared it. Except as specifically amended by this Amendment, the Agreement and the Escrow Instructions shall remain unchanged and continue in full force and effect.

ATTENTION: NO REPRESENTATION OR RECOMMENDATION IS MADE BY AIR CRE OR BY ANY BROKERS AS TO THE LEGAL SUFFICIENCY, LEGAL EFFECT, OR TAX CONSEQUENCES OF THIS AMENDMENT. THE PARTIES ARE URGED TO SEEK ADVICE OF COUNSEL AS TO THE LEGAL AND TAX CONSEQUENCES OF THIS AMENDMENT.

EXECUTED as of the date first written above.

SELLER:	BUYER:
Tower Theater Foundation For the The Performing Arts, a CA Nonprofit Public Benefit Corporation	Adventure Church, Inc.
By:	By: 1/14/21
Name Printed: [illegible] Abbate	Name Printed: Adventure Church Inc
Title:	Title:
Phone: (559)999-3174	Phone:
Fax:	Fax:
Email: laurenca.abbate@gmail.net	Email:
By:	By:
Name Printed: James L. Abbate & Andrea Abbate	Name Printed:
Title:	Title:
Phone:	Phone:
Fax:	Fax:
Email:	Email:
Address: 815 E. Olive Ave. Fresno, CA 93728	Address:
Federal ID No:	Federal ID No:

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6th AMENDMENT TO PURCHASE AND SALE AGREEMENT

THIS AMENDMENT TO PURCHASE AND SALE AGREEMENT AND ESCROW INSTRUCTIONS ("Amendment") is made and entered into as of February 11, 2021, by and between Adventure Church, Inc. ("Buyer") and Tower Theater Productions For the The Performing ("Seller") (collectively, the "Parties" or individually, a "Party").

WHEREAS, Buyer and Seller are parties to that certain Standard Offer, Agreement and Escrow Instructions for Purchase of Real Estate dated September 23, 2020 ("Agreement") with respect to the property commonly known as (street address, city, state, zip): 777 E Olive Ave, Fresno, CA 93728-3350 ("Property");

WHEREAS, the Agreement has not been previously amended except (if there are no exceptions write "NONE"): NONE

WHEREAS, the Parties have opened an escrow with Chicago Title ("Escrow Holder");

WHEREAS, the Parties now desire to amend the Agreement and their instructions to Escrow Holder ("Escrow Instructions");

NOW, THEREFORE, for Buyer's payment of ten dollars ($10) to Seller and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Parties hereby amend the Agreement and the Escrow Instructions as follows (list changes below):

The Close of Escrow shall be changed to February 23, 2021 or sooner.
Buyer shall deposit $793,500 down payment to Chicago Escrow #45002641 within 2 business days of amendment being signed.

The defined terms of the Agreement shall have the same meaning in this Amendment. Signatures to this Amendment accomplished by means of electronic signature or similar technology shall be legal and binding. This Amendment may be executed in counterparts, each of which shall be deemed an original, and all of whichtogether shall constitute one and the same instrument. This Amendment shall not be construed as if prepared by one of the Parties, but according to its fair meaning as a whole, as if both Parties had prepared it. Except as specifically amended by this Amendment, the Agreement and the Escrow Instructions shall remain unchanged and continue in full force and effect.

ATTENTION: NO REPRESENTATION OR RECOMMENDATION ISMADE BY AIR CRE OR BY ANY BROKERS AS TO THE LEGAL SUFFICIENCY, LEGAL EFFECT, OR TAX CONSEQUENCES OF THIS AMENDMENT. THE PARTIES ARE URGED TO SEEK ADVICE OF COUNSEL AS TO THE LEGAL AND TAX CONSEQUENCES OF THIS AMENDMENT.

EXECUTED as of the date first written above.

SELLER:
Tower Theater Productions For the The Performing Arts, a CA nonprofit Public Benefit Corporation

By:
Name Printed: Laurence Abbate
Title:
Phone: (559)999-3174
Fax:
Email: laurence.abbate@sbcglobal.net

By:
Name Printed: James L. Abbate & Andrea Abbate
Title:
Phone:
Fax:
Email:

Address: 815 E. Olive Ave, Fresno, CA 93728

Federal ID No.:

BUYER:
Adventure Church, Inc.

By: 2/11/21
Name Printed: Adventure Church Inc.
Title: President Arthur Flores
Phone:
Fax:
Email:

By:
Name Printed:
Title:
Phone:
Fax:
Email:

Address:

Federal ID No.:

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7th AMENDMENT TO PURCHASE AND SALE AGREEMENT

THIS AMENDMENT TO PURCHASE AND SALE AGREEMENT AND ESCROW INSTRUCTIONS ("Amendment") is made and entered into as of February 22, 2021, by and between Adventure Church, Inc. ("Buyer") and Tower Theater Productions For the The Performing ("Seller") (collectively, the "Parties" or individually, a "Party").

WHEREAS, Buyer and Seller are parties to that certain Standard Offer, Agreement and Escrow Instructions for Purchase of Real Estate dated September 23, 2020 ("Agreement") with respect to the property commonly known as (street address, city, state, zip): 777 E Olive Ave, Fresno, CA 93728-3350 ("Property");

WHEREAS, the Agreement has not been previously amended except (if there are no exceptions write "NONE"): 1st,2nd,3rd,4th,5th,6th

WHEREAS, the Parties have opened an escrow with Chicago Title ("Escrow Holder");

WHEREAS, the Parties now desire to amend the Agreement and their instructions to Escrow Holder ("Escrow Instructions");

NOW, THEREFORE, for Buyer's payment of ten dollars ($10) to Seller and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Parties hereby amend the Agreement and the Escrow Instructions as follows (list changes below):

The Close of Escrow shall be changed to February 26, 2021 or sooner.

The defined terms of the Agreement shall have the same meaning in this Amendment. Signatures to this Amendment accomplished by means of electronic signature or similar technology shall be legal and binding. This Amendment may be executed in counterparts, each of which shall be deemed an original, and all of which together shall constitute one and the same instrument. This Amendment shall not be construed as if prepared by one of the Parties, but according to its fair meaning as a whole, as if both Parties had prepared it. Except as specifically amended by this Amendment, the Agreement and the Escrow Instructions shall remain unchanged and continue in full force and effect.

ATTENTION: NO REPRESENTATION OR RECOMMENDATION IS MADE BY AIR CRE OR BY ANY BROKERS AS TO THE LEGAL SUFFICIENCY, LEGAL EFFECT, OR TAX CONSEQUENCES OF THIS AMENDMENT. THE PARTIES ARE URGED TO SEEK ADVICE OF COUNSEL AS TO THE LEGAL AND TAX CONSEQUENCES OF THIS AMENDMENT.

EXECUTED as of the date first written above.

SELLER:
Tower Theater Productions For the The Performing Arts, a CA nonprofit Public Benefit Corporation

By:
Name Printed: Laurence Abbate
Title:
Phone: (559) 999-3174
Fax:
Email: laurence.abbate@sbcglobal.net

By:
Name Printed:
Title:
Phone:
Fax:
Email:

Address: 815 E. Olive Ave, Fresno, CA 93728

Federal ID No.:

BUYER:
Advancury Church Inc.

By:
Name Printed: Adventure Church Inc
Title
Phone:
Fax:
Email:

By:
Name Printed:
Title:
Phone:
Fax:
Email:

Address:

Federal ID No.:

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8th AMENDMENT TO PURCHASE AND SALE AGREEMENT

THIS AMENDMENT TO PURCHASE AND SALE AGREEMENT AND ESCROW INSTRUCTIONS ("Amendment") is made and entered into as of March 3, 2021, by and between Adventure Church, Inc. ("Buyer") and Tower Theater Productions For the The Performin ("Seller") (collectively, the "Parties" or individually, a "Party").

WHEREAS, Buyer and Seller are parties to that certain Standard Offer, Agreement and Escrow Instructions for Purchase of Real Estate dated September 23, 2020 ("Agreement") with respect to the property commonly known as (street address, city, state, zip): 777 E Olive Ave, Fresno, CA 93728-3350 ("Property");

WHEREAS, the Agreement has not been previously amended except (if there are no exceptions write "NONE"): Amendments 1-7

WHEREAS, the Parties have opened an escrow with Chicago Title ("Escrow Holder");

WHEREAS, the Parties now desire to amend the Agreement and their instructions to Escrow Holder ("Escrow Instructions");

NOW, THEREFORE, for Buyer's payment of ten dollars ($10) to Seller and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Parties hereby amend the Agreement and the Escrow Instructions as follows (list changes below):
The Close of Escrow shall be changed to March 31, 2021 or sooner. $15,000 of the buyers deposit shall be released to the seller. The deposit released to the seller is non-refundable but is applicable to the purchase price.

The defined terms of the Agreement shall have the same meaning in this Amendment. Signatures to this Amendment accomplished by means of electronic signature or similar technology shall be legal and binding. This Amendment may be executed in counterparts, each of which shall be deemed an original, and all of whichtogether shall constitute one and the same instrument. This Amendment shall not be construed as if prepared by one of the Parties, but according to its fair meaning as a whole, as if both Parties had prepared it. Except as specifically amended by this Amendment, the Agreement and the Escrow Instructions shall remain unchanged and continue in full force and effect.

ATTENTION: NO REPRESENTATION OR RECOMMENDATION ISMADE BY AIR CRE OR BY ANY BROKERS AS TO THE LEGAL SUFFICIENCY, LEGAL EFFECT, OR TAX CONSEQUENCES OF THIS AMENDMENT. THE PARTIES ARE URGED TO SEEK ADVICE OF COUNSEL AS TO THE LEGAL AND TAX CONSEQUENCES OF THIS AMENDMENT.

EXECUTED as of the date first written above.

SELLER:
Tower Theater Productions For the The Performing Arts, a CA nonprofit Public Benefit Corporation

By
Name Printed: Laurence Abbate
Title:
Phone: (559) 999-3174
Fax:
Email: laurence.abbate@sbcglobal.net

By:
Name Printed:
Title:
Phone:
Fax:
Email:

Address: 815 E. Olive Ave, Fresno, CA 93728

Federal ID No.:

BUYER:
Adventure Church, Inc.

By
Name Printed: Adventure Church Inc.
Title
Phone:
Fax:
Email:

By:
Name Printed:
Title:
Phone:
Fax:
Email:

Address:

Federal ID No.:

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EXHIBIT "3"

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PROPERTY INFORMATION SHEET
(For the sale or leasing of non-residential properties)

PREFACE:
Purpose: This Statement is NOT a warranty as to the actual condition of the Property/Premises. The purpose is, instead, to provide the brokers and the potential buyer/lessee with important information about the Property/Premises which is currently in the actual knowledge of the Owner and which the Owner is required by law to disclose.
Actual Knowledge: For purposes of this Statement the phrase 'actual knowledge' means: the awareness of a fact, or the awareness of sufficient information and circumstances so as to cause one to believe that a certain situation or condition probably exists.

TO WHOM IT MAY CONCERN:
Tower Theater Productions For the The Performing ("Owner"), owns the Property/Premises commonly known by the street address of 777-815 E Olive Ave located in the City of Fresno, County of, Fresno, State of CA, and generally described as (describe briefly the nature of the Premises or Property) (2) existing buildings totaling ±24,817 SF on ±79,700 lot on APN 451-265-03

(herein after "**Property**"), and certifies that:

1. **Material Physical Defects.** Owner has no actual knowledge of any material physical defects in the Property or any improvements and structures thereon, including, but not limited to the roof, except (if there are no exceptions write "NONE"): Lobby ceiling has water damage, but has not been repaired due to art work in the middle of it.

2. **Equipment.**
A. Owner has no actual knowledge that the heating, ventilating, air conditioning, plumbing, loading doors, electrical and lighting systems, life safety systems, security systems and mechanical equipment existing on the Property as of the date hereof, if any, are not in good operating order and condition, except (if there are no exceptions write "NONE"): NONE

B. Owner has no actual knowledge of any leases, financing agreements, liens or other agreements affecting any equipment which is being included with the Property, except (if there are no exceptions write "NONE"): NONE

3. **Soil Conditions.** Owner has no actual knowledge that the Property has any slipping, sliding, settling, flooding, ponding or any other grading, drainage or soil problems, except (if there are no exceptions write "NONE"): NONE

4 **Utilities.** Owner represents and warrants that the Property is served by the following utilities (check the appropriate boxes) ☒ public sewer system and the cost of installation thereof has been fully paid, ☐ private septic system, ☒ electricity, ☒ natural gas, ☒ domestic water, ☒ telephone, and ☐ other:

5. **Insurance.** Owner has no actual knowledge of any insurance claims filed regarding the Property during the preceding 3 years, except (if there are no exceptions write "NONE"): NONE

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KW Commercial Central CA, 740 W Alluvial Ave #102 Fresno, CA 93711
Phone: 5593029698 Fax: 5594329324 Jared Finnis

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6. **Compliance With Laws.** Owner has no actual knowledge of any aspect or condition of the Property which violates applicable laws, rules, regulations, codes, or covenants, conditions or restrictions, or of improvements or alterations made to the Property without a permit where one was required, or of any unfulfilled order or directive of any applicable government agency or of any casualty insurance company that any work of investigation, remediation, repair, maintenance or improvement is to be performed on the Property, except (if there are no exceptions write "NONE"): NONE

7. **Hazardous Substances and Mold.**

A. Owner has no actual knowledge of the Property ever having been used as a waste dump, of the past or present existence of any above or below ground storage tanks on the Property, or of the current existence on the Property of asbestos, transformers containing PCB's or any hazardous, toxic or infectious substance whose nature and/or quantity of existence, use, manufacture or effect, render it subject to Federal, state or local regulation, investigation, remediation or removal as potentially injurious to public health or welfare, except (if there are no exceptions write "NONE"): NONE

B. Owner represents and warrants that it is not currently, and never has been engaged in the business of hauling waste, and never stored hazardous substances on the Property, except (if there are no exceptions write "NONE"): NONE

C. Owner has no actual knowledge of the existence on the Property of hazardous levels of any mold or fungi defined as toxic under applicable state or Federal law, except (if there are no exceptions write "NONE"): NONE

8. **Fire Damage.** Owner has no actual knowledge of any structure on the Property having suffered material fire damage, except (if there are no exceptions write "NONE"): NONE

9. **Actions, Suits or Proceedings.** Owner has no actual knowledge that any actions, suits or proceedings are pending or threatened before any court, arbitration tribunal, governmental department, commission, board, bureau, agency or instrumentality that would affect the Property or the right or ability of an owner or tenant to convey, occupy or utilize the Property, except (if there are no exceptions write "NONE"): NONE

Owner has not served any Notices of Default on any of the tenants of the Property which have not been resolved except (if there are no exceptions write "NONE"): NONE

10. **Governmental Proceedings.** Owner has no actual knowledge of any existing or contemplated condemnation, environmental, zoning, redevelopment agency plan or other land use regulation proceedings which could detrimentally affect the value, use and operation of the Property, except (if there are no exceptions write "NONE"): NONE

11. **Unrecorded Title Matters.** Owner has no actual knowledge of any encumbrances, covenants, conditions, restrictions, easements, licenses, liens, charges or other matters which affect the title of the Property that are not recorded in the official records of the county recorder where the Property is located, except (if there are no exceptions write "NONE"): NONE

12. **Leases.** Owner has no actual knowledge of any leases, subleases or other tenancy agreements affecting the Property, except (if there are no exceptions write "NONE"): Lease to be provided during escrow.

13. **Options.** Owner has no actual knowledge of any options to purchase, rights of first refusal, rights of first offer or other similar agreements affecting the Property, except (if there are no exceptions write "NONE"): NONE

14 **Short Sale/Foreclosure.** The ability of the Owner to complete a sale of the Property ☐ is contingent ☒ is not contingent upon obtaining the consent of one or more lenders to conduct a 'short sale', ie. a sale for less than the amount owing on the Property. (This paragraph only needs to be completed if this Property Information Sheet is being completed in connection with the proposed sale of the Property.) One or more of any loans secured by the Property ☐ is ☒ is not in foreclosure.

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15. Energy Efficiency. The Property ☐ has ☐ has not been granted an energy efficiency rating or certification such as one from the U.S. Green Building Council's Leadership in Energy and Environmental Design (LEED) or ☒ Seller/Lessor does not know if the Property has been granted such a rating or certificate. If such a rating or certification has been obtained please describe the rating or certification and provide the name of the organization that granted it: _____

16. Other (It will be presumed that there are no additional items which warrant disclosure unless they are set forth herein): Property is listed on the Historic Registry.

The statements herein will be relied upon by brokers, buyers, lessees, lenders and others. Therefore, Owner and/or the Owner's Property Manager has reviewed and modified this printed statement as necessary to accurately and completely state all the known material facts concerning the Property. To the extent such modifications are not made, this statement may be relied upon as printed. This statement, however, shall not relieve a buyer or lessee of responsibility for independent investigation of the Property. Owner agrees to promptly notify, in writing, all appropriate parties of any material changes which may occur in the statements contained herein from the date this statement is signed until title to the Property is transferred, or the lease is executed. Signatures to this Statement accomplished by means of electronic signature or similar technology shall be legal and binding.

Date: 9-29-2020
(Fill in date of execution)

OWNER
Tower Theater Productions For the The Performing Arts, a CA nonprofit Public Benefit Corporation
By: _____
Name Printed: Laurence Abbate
Title: _____

Buyer/lessee hereby acknowledges receipt of a copy of this Property Information Sheet on _____
(Fill in date received)

BUYER/LESSEE
Adventure Church, Inc.
By: _____
Name Printed: Adventure Church Inc.
Title: _____

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EXHIBIT "4"

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SELLER'S MANDATORY DISCLOSURE STATEMENT

(Required by law on transactions involving non-residential properties in California)
DO NOT USE THIS FORM WITH REGARD TO THE SALE OF RESIDENTIAL PROPERTIES

This disclosure statement is intended to be a part of the ☒ STANDARD OFFER, AGREEMENT AND ESCROW INSTRUCTIONS FOR PURCHASE OF REAL ESTATE (See paragraph 9.1(a) of said document) or ☐ _____

(the "Purchase Agreement") dated September 23, 2020, regarding that certain real property commonly known as: 777-815 E Olive Ave (the "Property") wherein Tower Theater Productions For the The Performing Adventure Church, Inc. is the Buyer, is the Seller and _____ is the Buyer.

Note: This disclosure statement is not designed nor intended to be used in place of the standard Property Information Sheet published by the AIR Commercial Real Estate Association ("AIR"). Both documents should be used in every transaction involving a sale.

In order to comply with State law concerning disclosures to a potential purchaser, Seller elects to:

☐ A. Utilize a report prepared by a professional consultant which has been approved by the AIR, i.e. **First American Natural Hazard Disclosures**, (800) 527-0027, or **JCP Property Disclosure Reports**, (800) 748-5233. A copy of their report is attached hereto. **(Complete paragraphs 8, 9, and 10 and sign this statement in the place provided.)**

☒ B. Utilize a report prepared by MY NEIGHBORHOOD _____. A copy of their report is attached hereto. **(Complete paragraphs 8, 9 and 10, sign this Statement in the place provided, and attach a copy of The Commercial Property Owner's Guide to Earthquake Safety.)**

☐ C. Complete this Disclosure Statement without the assistance of a professional consultant. **(Complete paragraphs 1 through 12 and sign this Statement in the place provided. Remember to attach a copy of The Commercial Property Owner's Guide to Earthquake Safety.)**

~~1. EARTHQUAKE FAULT ZONES: If the Property is located within a delineated Earthquake Fault Zone (a zone that encompasses a potentially or recently active trace of an earthquake fault that is deemed by the State Geologist to constitute a potential hazard to structures from surface faulting or fault creep), California Public Resources Code §2621 et seq. mandates that prospective purchasers be advised that the Property is located within such a Zone, and that its development may require a geologic report from a state registered geologist. In accordance with such law, Buyer is hereby informed that the Property is ☐ or is not ☐ within a delineated Earthquake Fault Zone.~~

~~2. SEISMIC HAZARD ZONES: If the Property is located within a Seismic Hazard Zone as delineated on a map prepared by the California Division of Mines and Geology, California Public Resources Code §2690 et seq. mandates that prospective purchasers be advised that the Property is located within such a Zone. In accordance with such law, Buyer is hereby informed that the Property is ☐ or is not ☐ within a Seismic Hazard Zone.~~

~~3. EARTHQUAKE SAFETY: If (1) the improvements on the Property were constructed prior to 1975, and (2) said improvements include structures with (i) pre-cast (e.g., tilt-up) concrete or reinforced masonry walls together with wood frame floors or roofs or (ii) unreinforced masonry walls, Buyer must be provided with a copy of The Commercial Property Owner's Guide to Earthquake Safety (the "Booklet") published by the California Seismic Safety Commission. Buyer is hereby informed that the Property:~~

~~☐ (a) meets the foregoing requirements, and a copy of the Booklet and a completed "Commercial Property Earthquake Weakness Disclosure Report" is attached hereto. Within five business days of Buyer's receipt of said Disclosure Report, Buyer shall deliver a duly countersigned copy of the same to Escrow Holder, with a copy to Seller and Seller's Broker. Escrow Holder is hereby instructed that the Escrow shall not close unless and until Escrow Holder has received the Disclosure Report duly signed by both Seller and Buyer.~~

~~☐ (b) does not meet the foregoing requirements requiring the delivery of the Booklet.~~

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KW Commercial Central CA, 740 W Alluvial Ave #102 Fresno, CA 93711
Phone: 3593028698 Fax: 5594329124 Jared Ennis

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4. ~~FIRE PROTECTION. If the Property is located within a designated State Responsibility Area as delineated on a map prepared by the California Department of Forestry, California Public Resources Code §4136 mandates that prospective purchasers be advised that the Property is located within a wildland area which may contain substantial forest fire risks and hazards, that the State may not be responsible to provide fire protection services, and that the Property may be subject to the requirements of Public Resources Code §4291 which requires the periodic removal of brush, the maintenance of firebreaks, and other similar activities. In accordance with such law, Buyer is hereby informed that the Property is~~ ☐ ~~or is not~~ ☐ ~~within a designated State Responsibility Area.~~

5. ~~FIRE HAZARD. If the Property is located within an area designated as a Very High Fire Hazard Severity Zone pursuant to Government Code §51178 et seq., §51183.5 mandates that prospective purchasers be advised that the Property is located within such a zone and that the Property may be subject to various maintenance, design and/or construction requirements and/or restrictions. In accordance with such law, Buyer is hereby informed that the Property is~~ ☐ ~~or is not~~ ☐ ~~within a designated Very High Fire Hazard Severity Zone.~~

6. ~~AREA OF POTENTIAL FLOODING. If the Property is located within an area of potential flooding in the event of the failure of a dam as shown on an inundation map designated pursuant to Government Code §8589.5, §8589.4 mandates that prospective purchasers be advised that the Property is located within such an area. In accordance with such law, Buyer is hereby informed that the Property is~~ ☐ ~~or is not~~ ☐ ~~within a designated area of potential flooding.~~

7. ~~FLOOD HAZARD AREAS. If the Property is located within a designated Federal Flood Hazard Area as delineated on a map prepared by the Federal Emergency Management Agency, Federal law, ie. 42 U.S.C. §4104a, mandates that prospective purchasers be advised that the Property is located within or near a area having special flood hazards and that flood insurance may be required as a condition to obtaining financing. In accordance with such law, Buyer is hereby informed that the Property is~~ ☐ ~~or is not~~ ☐ ~~within a designated Federal Flood Hazard Area.~~

8. FLOOD DISASTER INSURANCE. If the Seller or Seller's predecessor-in-interest has previously received Federal flood disaster assistance and said assistance was conditioned upon obtaining and maintaining flood insurance on the Property, Federal law, ie. 42 U.S.C. §5154a, mandates that prospective purchasers be advised that they will be required to maintain such insurance on the Property and that if said insurance is not maintained and the Property is thereafter damaged by a flood disaster, the purchaser may be required to reimburse the Federal Government for the disaster relief provided. Buyer is hereby informed that to the best of the Seller's knowledge Federal flood disaster assistance has ☐ or has not ☒ been previously received with regard to the Property. Note: if such disaster assistance has been received, the law specifies that the required notice be "contained in documents evidencing the transfer of ownership".

9. WATER HEATER BRACING. If the Property contains one or more water heaters, Seller is required by California Health and Safety Code §19211 to certify to the Buyer that all such water heaters have been braced, strapped and/or anchored in accordance with law. Buyer is hereby advised that the required bracing, strapping and/or anchors: ☐ have been installed ☐ have not been installed, or ☒ Seller does not know whether they have been installed.

10. PRESENCE OF MOLD. If the seller or transferor of property knows of the presence of mold that affects the property and the mold either exceeds permissible exposure limits or poses a health threat then Health and Safety Code §26140, et seq. mandates that prospective purchasers be advised in writing of such mold. In accordance with such law, Buyer is hereby informed that the undersigned does ☐ or does not ☒ know of the presence of such mold affecting the Property.

11. TITLE INSURANCE. In the event that the Purchase Agreement does not at present provide that title insurance will be obtained, Buyer is strongly urged to consider purchasing such insurance, and, in accordance with California Civil Code §1057.6 is advised as follows:

IMPORTANT: IN A PURCHASE OR EXCHANGE OF REAL PROPERTY, IT MAY BE ADVISABLE TO OBTAIN TITLE INSURANCE IN CONNECTION WITH THE CLOSE OF ESCROW SINCE THERE MAY BE PRIOR RECORDED LIENS AND ENCUMBRANCES WHICH AFFECT YOUR INTEREST IN THE PROPERTY BEING ACQUIRED. A NEW POLICY OF TITLE INSURANCE SHOULD BE OBTAINED IN ORDER TO ENSURE YOUR INTEREST IN THE PROPERTY THAT YOU ARE ACQUIRING.

12. OTHER: _____

PLEASE NOTE:

While the information contained in or attached to this Disclosure Statement is believed to be accurate as of the date that it was prepared, the applicable laws and the areas covered by the various natural hazard zones, etc. can change from time to time. Prior to the close of escrow, Buyer may wish to again check the status of the Property. Also, the city and/or county in which the Property is located may have established natural hazard zones in addition to those listed above. Buyer is advised to check with the appropriate local agency or agencies.

INITIALS

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The descriptions contained within the above disclosure paragraphs are not intended to be full and complete dissertations of all of the possible ramifications to the Buyer and/or the Property. In the event that this document indicates that the Property is affected by one or more of the disclosures, Buyer is advised to:

1. Review the applicable laws in their entirety.
2. Seek advice of counsel as to the legal consequences of the items disclosed.
3. Retain appropriate consultants to review and investigate the impact of said disclosures.

Likewise no representation or recommendation is made by the AIR CRE or by any broker as to the legal sufficiency, legal effect, or consequences of this document or the Purchase Agreement to which it relates. Signatures to this Statement accomplished by means of electronic signature or similar technology shall be legal and binding.

Date: 9-29-2020

SELLER

Tower Theater Productions For the The Performing Arts, a CA nonprofit Public Benefit Corporation

By: _____

Name Printed: Laurence Abbate

Title: _____

Receipt of the above Seller's Mandatory Disclosure Statement is hereby acknowledged:

Date: 9/28/20.

BUYER

Adventure Church, Inc.

By: _____

Name Printed: Adventure Church Inc

Title: _____

NOTICE: No part of the works may be reproduced in any form without permission in writing.

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777 E Olive Ave

EXHIBIT "5"

LEASE EXTENSION AGREEMENT

THIS LEASE EXTENSION AGREEMENT is entered into effective as of the 1st day of May, 2017, by and between TOWER THEATER PROPERTIES, a California corporation (hereinafter "Landlord") and Craig Scott Kendall and Michele Kendall, doing business as Sequoia Brewing Company Bar & Grill ("Tenant").

RECITALS:

A. WHEREAS, the parties hereto have executed that certain Lease as of August 1, 2012 (the "Lease"), whereby Tenant leases those certain Premises (hereinafter "Premises") consisting of approximately 5,600 square feet of interior space, contained in that certain building and approximately 700 square feet of adjacent patio space located in the City of Fresno, California, commonly known as 777 E Olive Avenue, Fresno, California 93728.

B. WHEREAS, the parties now desire to modify the Lease with respect to the term of the Lease and the rent paid thereunder.

C. WHEREAS, the parties also desire to memorialize in writing an option to purchase the Premises in the event of Landlord's offering for sale of the Premises to an unrelated third-party.

NOW, THEREFORE, the parties agree as follows:

1. Amendment of Paragraph 1A of the Lease. Paragraph 1A of the Lease is hereby amended to read as follows:

"A) Leased Premises: The "Leased Premises" is comprised of approximately 5,600 square feet located within in a building and 700 square feet of patio space adjacent to the building as described herein. The Leased Premises are depicted as the cross-hatched area on the attached map designated as Exhibit "A", which is attached hereto and by this reference incorporated herein."

2. Amendment of Paragraph 3 of the Lease. Paragraph 3 of the Lease is hereby amended to read as follows:

"3. **TERM:**

The term of this Lease Extension shall commence August 1, 2017, and shall expire on July 31, 2022. Provided Lessee is not in default of this Lease at the time of renewal, Lessee shall have the right to renew this lease for one additional five (5) year term by giving Lessor written notice of such election to renew prior to six months before the expiration of the then-existing Term. The

renewal term shall be subject to the same terms, covenants, and conditions as are contained in this Lease, except for the monthly rent, which rental amount shall be agreed upon by the parties prior to five (5) months before the expiration of the then-existing Term, or all rights of renewal shall lapse. Neither party shall have the right to have a court or other third party set the monthly rent for any renewal term."

3. Amendment of Paragraph 4A of the Lease. Paragraph 4A of the Lease is hereby amended to read as follows:

"A) Minimum Rent. As monthly minimum rental hereunder, Lessee shall pay to Lessor, in advance, on the first (1st) day of each calendar month during the Term hereof, the sum of Four Thousand Five Hundred and No/100 Dollars ($4,500.00). Any other monetary obligations of this Lease shall be considered additional rents."

4 Amendment of Paragraph 6F of the Lease. Paragraph 6F of the Lease is hereby amended to read as follows:

"F) Noise Nuisance. Lessee shall not at any time during the term hereof cause to be created noise which creates the repeated need to contact law enforcement for excessive noise emanating from the Premises."

5. Clarification of Paragraph 7 of the Lease. For clarification purposes, the parties hereto acknowledge and agree that the provisions of Paragraph 7 of the Lease shall be interpreted to require Tenant to have sole responsibility for the cleaning, maintenance, and repair of any and all grease traps and grease and items in the grease traps on the Premises and that Landlord has no responsibility whatsoever for anything to do with the grease traps or grease or items in the grease traps.

6. Amendment of Paragraph 34 of the Lease. Paragraph 34 of the Lease is hereby amended to add the following at the end thereof:

"ACCESSIBILITY DISCLOSURE; CALIFORNIA CIVIL CODE SECTION 1938. THE LEASED PREMISES HAS NOT BEEN INSPECTED BY A CERTIFIED ACCESS SPECIALIST (CASp) PRIOR TO EXECUTION OF THIS LEASE."

7. Addition of Paragraph 36 of the Lease. Paragraph 36 is hereby added to the Lease to read as follows:

"36. TENANT'S OPTION TO PURCHASE:

A) Grant of Option: Landlord shall not, at any time prior to the termination of this Lease, including any extensions thereof, sell the Premises, or any interest therein, without first giving to Tenant written notice of such desire to sell (hereinafter the "Notice of Sale"). Upon receipt of the Notice of Sale, Tenant shall have an option to purchase the Premises (the "Option") on the terms and conditions set forth in this Paragraph 36.

B) Exercise Period/Lapse of Option: Provided that Tenant is not in default under the terms of this Lease, Tenant shall be entitled to exercise the Option within twelve (12) calendar days after receipt of the Notice of Sale. In the event Tenant exercises the Option, the lease of the Premises shall continue until the purchase of the Premises by Tenant has been consummated, notwithstanding any provision to the contrary in this Lease. In the event Tenant fails to exercise the Option within the twelve-day period, the Option shall lapse.

C) Exercise of Option: Tenant shall exercise the Option by giving timely written notice of Tenant's intention to exercise the Option to Landlord or to Landlord's assigns, which notice shall unconditionally state Tenant's intention to purchase the Premises according to the terms of this Paragraph 36.

D) Parcel Split: The parties acknowledge that currently the Premises is not a separate legal parcel which can be sold. Promptly after the exercise of the Option, Tenant, at Tenant's sole cost and expense, shall employ an engineer to prepare the maps required to submit to the City of Fresno an application for a parcel split to cause the Premises to become a separate legal parcel of real property which can be sold to Tenant, such that within sixty (60) days after Tenant has exercised the Option, Landlord and Tenant can approve such maps. Upon such approval, the Deposit (as defined below) shall be released to Landlord from escrow. In that event, Landlord, at Landlord's sole cost and expense, agrees to diligently pursue the steps necessary to create a separate legal parcel of real property of the Premises which can be sold to Tenant (the "Legal Parcel"). The parties agree that the purchase of the Premises pursuant to the Option is conditioned upon the creation of the Legal Parcel for no more than Twenty Thousand and No/100 Dollars ($20,000.00) of cost to Landlord and that there is no guaranty that Landlord can gain approval for the creation of the Legal Parcel.

E) Condition of Title. At the Close of Escrow, the Landlord or Landlord's assigns to the Premises shall transfer title to Tenant subject only to the liens of taxes not yet due and payable, existing easements and rights-of-ways (whether or not recorded), existing conditions, covenants and restrictions of record, those exclusions and exceptions contained in a standard CLTA title policy form and such other exceptions approved in writing by Tenant.

F) Physical Condition of the Premises. Tenant acknowledges that Tenant shall be in control of the Premises at the time of purchase and shall purchase the Premises and all existing fixtures and improvements thereon "AS IS". Landlord or Landlord's successors or assigns shall not make or be required to make, and may specifically disclaim, any representations or warranty as to the condition of the Premises, except that Landlord shall have repaired all then-existing roof leaks, if any, and completed any other roof work required for the roof to be in a leak-free condition.

G) Purchase Price of the Premises. If Tenant exercises the Option on or before December 31, 2017, then the purchase price to Tenant shall be Five Hundred Fifty Thousand and No/100 Dollars ($550,000.00). If the Option is exercised on or after January 1, 2018, the purchase price for the Premise shall be (1) a price mutually agreeable to both parties if Landlord offers to sell the Premises and has not yet received an acceptable offer, or (2) a price and on terms equaling or more favorable to Landlord than terms offered by a third party which offer Landlord intends to accept (the "Purchase Price").

H) Escrow. Within ten (10) days after delivery of written notice of intent to exercise the Option, Landlord shall cause an escrow to be opened with a reputable title company in Fresno County, California (the "Title Company"). Within five (5) days upon receipt of notice of the designated Title Company, Tenant shall cause to be delivered to the Title Company a cashier's check in the amount of Ten Thousand and No/100 Dollars ($10,000.00) as a down payment toward the Purchase Price (the "Deposit"). Landlord shall cause escrow instructions consistent with this Paragraph 36 to be prepared and delivered to Landlord and Tenant for execution by both parties. Lessee shall obtain any necessary title policies at Lessee's sole expense. All other escrow and closing costs shall be allocated between the parties in the manner customary in Fresno County, California. Until the escrow closes or is terminated, all other terms and conditions of this Lease shall remain in effect.

I) Reciprocal Easements. Within sixty (60) days after Tenant's exercise of the Option, Landlord and Tenant shall have approved for execution at the closing of the sale of the Premises to Tenant pursuant to the Option a reciprocal easement agreement affecting the Legal Parcel to be purchased by Tenant and the remaining portion of the Property (less the Legal Parcel) regarding cross access, ingress and egress, parking, drainage, landscaping and maintenance.

J) Further Assurances. Each party agrees to perform any further acts and execute and deliver any additional documents that may be reasonably necessary to carry out the provisions of this Paragraph 36.

RECEIVED 06/13/2017 08:11AM

K) Applicability of Option Notwithstanding any of the foregoing, the Option is intended to be exercisable only upon the voluntary transfers involving third-party transferees, and is specifically not exercisable due to a situation involving (1) an eminent domain proceeding, threat of condemnation or any other involuntary conversion, or (2) an intra-family, intra-owner, owner-trust or owner-beneficiary transfers.

8. Confirmation of Lease Terms. Except as otherwise modified herein, the terms and conditions of the Lease shall remain in full force and effect.

IN WITNESS WHEREOF, Landlord and Tenant have executed this Lease Extension Agreement effective as of the date and year first above written..

"Landlord"

TOWER THEATER PROPERTIES, INC.,
a California corporation

By _____
JAMES ABBATE, PRESIDENT

By _____
LAURENCE ABBATE, CPO

"Tenant"

_____ 6/13/17
CRAIG SCOTT KENDALL

Michele Kendall
MICHELE KENDALL
6-13-17

* New Lease - 7/1/20

ASSIGNMENT OF LEASE

THIS ASSIGNMENT OF LEASE is made and entered into this 11 day of March 2020, by and between Craig Scott Kendall and Michele Kendall, individually and doing business as Sequoia Brewing Company Bar & Grill (collectively "Assignor") and Jeremy Smith and Allison Richtel-Smith, individually and J&A Mash & Barrel (collectively "Assignee").

RECITALS:

A. WHEREAS, Assignor entered into that certain lease with Tower Theater Properties, Inc., a California corporation ("Lessor"), dated August 1, 2012 (a copy of which is attached hereto as exhibit "A" and incorporated herein by this reference) for the lease of the premises described in the Lease on East Olive Avenue in the City of Fresno, California, which was subsequently amended in 2017 pursuant to a Lease Extension Agreement (a copy of which is attached hereto as exhibit "B" and incorporated herein by this reference) (collectively, the two forgoing documents are referred to herein as the "Lease").

B. WHEREAS, Assignor now desires to assign the Lease to Assignee and Assignee desires to accept the assignment of the Lease from Assignor on the terms and conditions set forth herein.

NOW, THEREFORE, the parties hereto agree as follows:

1. Assignment. For valuable consideration, the receipt of which is hereby acknowledged, Assignor assigns and transfers to Assignee all of its right, title and interest in and to the Lease.

2. Effective Date. The assignment as set forth above shall be effective as of March _____, 2020 (the "Effective Date").

3. Continuance of Lease Terms. Effective as of the Effective Date, Assignee hereby agrees and does accept the assignment and, in addition, expressly assumes and agrees to

keep, perform, and fulfill all the terms and covenants, conditions and obligations required to be kept, performed, and fulfilled by Assignor as under the Lease.

4. Continued Obligation of Assignor. Notwithstanding the assignment as set forth herein, Assignor agrees that Assignor is not released from the obligations under the terms of the Lease and is ultimately liable to the Lessor therefor in the event Assignee fails to perform thereunder.

5. Option to Extend Lease. By executing the consent below, Lessor agrees that Assignee shall have the right to extend the Lease until March 1, 2030, so long as Assignee is not in default under the terms of the lease, by giving Lessor written notice of Assignee's election to extend the Lease at least six (6) months before July 1, 2022.

5. Binding Effect. This Assignment shall be binding upon and inure to the benefit of all parties hereto, their heirs, executors, administrators, and assigns.

6. Counterparts; Facsimiles. This Assignment may be executed in counterparts, each of which shall constitute an original, but all of which together shall constitute one and the same instrument. The parties agree that a signed copy of this Assignment transmitted by one party to the other by facsimile transmission shall be binding upon the sending party to the same extent as a signed original of this Assignment.

IN WITNESS WHEREOF, the parties hereto have executed this Assignment as of the date and year set forth above.

"Assignor"

CRAIG SCOTT KENDALL

MICHELE KENDAL

"Assignee"

JEREMY SMITH

ALLISON RICHTEL-SMITH

doing business as Sequoia Brewing Company
Bar & Grill

J&A MASH & BARREL, LLC, a
California limited liability company,
doing business as Sequoia Brewing
Company
Jeremy Smith Managing Member
By J&A Mash & Barrel LLC
Jeremy Smith, Manager

CONSENT BY LESSOR

I, the undersigned, does hereby consent on behalf of Tower Theater Properties, Inc., a California corporation to the foregoing assignment and option to extend the lease.

Dated: March 11, 2020

TOWER THEATER PROPERTIES, INC., a
California corporation

By
Laurence Abbate,
Chief Financial Officer

EXHIBIT "6"



APPL. NO. P20-04581 EXHIBIT O DATE
PLANNING REVIEW BY DATE
TRAFFIC ENG. DATE
APPROVED BY DATE
CITY OF FRESNO DARM DEPT

December 7, 2020

To: City of Fresno Planning and Development Department

Attn: Dan Zack, McKenzie Perez, Marisela Martinez

Regarding: Tower Theatre Operation Statement

777-815 E. Olive Ave. Fresno, CA 93728

Dear Dan Zack, McKenzie Perez, and Marisela Martinez:

Adventure Church Inc. is in escrow to purchase the Tower Theatre located at the above address. The purpose of this letter is to state the intent of the use and operations of the property. Adventure Church Inc. will utilize the theater to operate various types of events ranging from concerts, theatre and performing arts shows, city events, community functions, etc. The square footage of the theater space where church services will be held is approximately 15,000 sq. ft. A stipulation from the current owner on the sale of the property is that events continue to take place at the theater.

Church services would happen on Sunday mornings and occasionally once a month on Wednesday nights, if no other event is scheduled. Events are 100% the primary function of the theater, with church services being incidental. Midweek classes would happen on a much smaller scale in the lounge (1500 ft) on occasion. We believe with the current environment, we will be able to do a 2 to 1 ratio of events versus church services for now, with the goal of increasing to 3 to 1. For example, in a calendar year, we plan to have 100 events versus 52 services, with the goal of expanding to 150 events per year. In 2019, the current property owner hosted 200 events at the location.

In addition to the theater, there are four restaurants on the property that will continue to operate as they are. Furthermore, we will add to the beautification of the community. We are committed to maintaining a safe and clean environment, and will promote other businesses in the area with the goal of strengthening and enriching the historic Tower District.

Sincerely,

Pastor Anthony Flores

Adventure Church Inc., President

Bill Richardson

Adventure Church Inc., Board Member

Adventure Church
1012 N. Palm Avenue, Fresno, CA 93728
(559) 412-4652 | www.acc559.com

EXHIBIT "7"

City of FRESNO

Planning and Development Department

2600 Fresno Street, Room 3043
Fresno, California 93721-3604
(559) 621-8277
www.fresno.gov

Jennifer K. Clark, AICP, HDFP
Director

DECEMBER 10, 2020

BILL RICHARDSON
ADVENTURE CC
1012 N PALM
FRESNO, CA 93728

Please reply to:
Marisela Martinez
(559) 621-8038

Dear Bill Richardson:

SUBJECT: ZONING INQUIRY NO. P20-04581 FOR INFORMATION FOR PROPERTY LOCATED AT 815 EAST OLIVE AVENUE (ASSESSOR'S PARCEL NO. 451-265-03)

Thank you for your letter of inquiry regarding zoning of the subject parcel. The requested information about Fresno Municipal Code (FMC) Zoning Ordinance compliance has been obtained from public records in the Planning and Development Department.

You requested the following information:

- Confirm Zoning
- Confirm Conformity

You also requested the following information:

- Can a Church continue to assemble at this location?

This letter verifies that the subject assessor's parcel(s) pertain(s) to ±1.83 acres of property located on the northwest corner of North Wishon and East Olive Avenues in Fresno, California. Research of the property reveals the following.

1. The subject parcel is located within the boundaries of the updated Fresno General Plan adopted on December 18, 2014. The Fresno General Plan may be accessed by clicking the following link: Planning and Development | Long-Range Plans and the Development Code

2. The Fresno General Plan, Fresno High-Roeding Community Plan, and Tower District Specific Plan designate the subject property as Commercial - Main Street land use. These planning documents serve the community as tools for coordinating local policies and implementation programs and determining the strategy for the continued land use development within the city.

3. The subject property is located in the CMS (*Commercial - Main Street*) zone district. Pursuant to the FMC Chapter 15, Article 12, the CMS zone district is intended to "preserve or promote small-scale, fine-grain commercial development in neighborhoods where single-family residential and townhomes are predominant. A traditional "Main Street" character is achieved

with active storefronts, outdoor seating and pedestrian-oriented design." The CMS zone district is consistent with the Commercial - Main Street planned land use designation.

4. The Community and Religious Assembly use classification is defined by FMC Section 15-6703 as "a facility for public or private meeting including community centers, religious assembly facilities, civic and private auditoriums, union halls, meeting halls for clubs or other membership organizations. This classification includes functionally related facilities for the use of members and attendees such as kitchens, multi-purpose rooms, and storage. It does not include gymnasiums or other sports facilities, convention centers, or facilities, such as day cares and schools that are separately classified and regulated." If the proposed use is in line with the Community and Religious Assembly use classification definition and is less than 2,000 square-feet, the proposed use is permitted in the CMS zone district. If the facility is 2,000 square-feet or more, the use is not permitted. The use classification outlined above would also be subject to FMC Section 15-2719, Community and Religious Assembly Facilities. As per the attached operational statement, the square footage of the subject property is greater than the allowable amount and would, therefore, not be permitted as the primary use.

5. The principal use of the building at the subject address is a Cinema/Theater. Pursuant to FMC Section 15-1202, an accessory use in the CMS zone district is permitted. Additionally, pursuant to FMC Section 15-2703, the accessory use of the subject property as a Community and Religious Assembly facility shall be incidental, related, appropriate, and clearly subordinate to the principal use or building to which it relates (Cinema/Theater); under the same regulations applied to the principal use in any zoning district; and where the accessory use does not alter the principal use. Accessory uses are also subject to the development and site regulations found in Article 20, General Site Regulations. Based on the attached operational statement dated December 7, 2020, a Community and Religious Assembly use is incidental to the principal use.

6. Surrounding properties are classified as follows:

Direction	Zone District	Zone District Name
North	CMS	Commercial – Main Street
West	CMS	Commercial – Main Street
South	CMS	Commercial – Main Street
East	CMS	Commercial – Main Street

7. To the best of my knowledge, per records made available for my review there are no open zoning or building code violations shown at the present time. The property owner should contact the City of Fresno Code Enforcement Division at (559) 621-8400 for further clarification of whether enforcement proceedings against the subject property are pending or contemplated.

8. Development of the subject parcels was facilitated by, and in accordance with, the following applications:

- Conditional Use Permit Application No. C-08-268, approved on October 22, 2008, authorized special events to occur up to six times in the Tower Theater parking lot.

The record containing the Site Plan Review Application that authorized the development of the property was not located in the records on file in the Planning and Development Department.

9. The subject property is listed in the National Register of Historic Places and is subject to Article 16, the Historic Preservation Ordinance of the City of Fresno, of the FMC.

This information was researched by the undersigned per the zoning request. The undersigned certifies that the above information contained herein is believed to be accurate and is based upon, or relates to, the information supplied by the requestor. The City of Fresno assumes no liability for errors and omissions. All information was obtained from public records held by the Planning and Development Department, which may be inspected during regular business hours.

A copy of the FMC may be obtained by contacting the City Clerk's office at (559) 621-7650. The FMC may also be searched on the Internet, free of charge, by going to www.fresno.gov. If you have questions regarding this matter, please contact me by telephone at (559) 621-8038 or at Marisela.Martinez@fresno.gov.

Sincerely,
Marisela Martinez
Marisela Martínez, Planner
Planning and Development Department

Enclosure: Operational Statement dated December 7, 2020

EXHIBIT "8"

THOMAS C. ESQUEDA
CITY MANAGER

Via Email

January 5, 2021

Mr. Bill Richardson
Adventure CC
1012 N Palm
Fresno, CA 93728

SUBJECT: REVISED ZONING INQUIRY NO. P20-04581 FOR INFORMATION FOR PROPERTY LOCATED AT 815 EAST OLIVE AVENUE (ASSESSOR'S PARCEL NO. 451-265-03)

Dear Mr. Richardson:

On December 10, 2020 the Planning and Development Department for the City of Fresno responded to your letter of inquiry regarding zoning of the subject parcel, and whether a Church is permitted to assemble at this location. The City's December 2020 letter provides relevant background on the subject parcel and surrounding parcels, and is attached for reference.

After further review and analysis, the City has revised its determination regarding permissible primary and secondary uses of the subject parcel pursuant the Fresno Municipal Code.

The City's revised determination is as follows:

1. The subject property is located in the CMS (Commercial - Main Street) zone district. Pursuant to the FMC Chapter 15, Article 12, the CMS zone district is intended to "preserve or promote small-scale, fine-grain commercial development in neighborhoods where single-family residential and townhomes are predominant. A traditional "Main Street" character is achieved with active storefronts, outdoor seating and pedestrian-oriented design." The CMS zone district is consistent with the Commercial - Main Street planned land use designation.

2. A Church falls within the broader definition of the Community and Religious Assembly use classification as defined by FMC Section 15-6703.
    - FMC 15-6703 defines Community and Religious Assembly as "a facility for public or private meeting including community centers, religious assembly facilities, civic and private auditoriums, union halls, meeting halls for clubs or other membership organizations. This classification includes functionally related facilities for the use of members and attendees such as kitchens, multi-purpose rooms, and storage. It does not include gymnasiums or other sports facilities, convention centers, or facilities, such as day cares and schools that are separately classified and regulated."
    - Pursuant to FMC Table 15-12-02, proposed uses consistent with the Community and Religious Assembly definition are permitted in facilities less than 2,000 square-feet in size when located in the CMS zone district. They are also subject to the development and operational standards set forth in FMC Section 15-2719. Community and Religious Assembly uses are not permitted in facilities in excess of 2,000 square-feet in the CMS zone district. The operational statement submitted on December 7, 2020 identifies the facility as approximately 15,000 square-feet is size, which is in excess of the size permitted by FMC Table 15-1202. As such, community and Religious Assembly is not permitted as a principal use for the subject property.
3. The principal use of the building at the subject address is a Cinema/Theater. Pursuant to FMC Section 15-1202, an accessory use as defined by FMC Section 15-270 is permitted in the CMS zone district.
    - FMC Section 15-2703 states that "[a]n accessory use shall be incidental, related, appropriate, and clearly subordinate to the principal use or building to which it relates; under the same regulations applied to the principal use in any zoning district; and where the accessory use does not alter the principal use." The current regulations that apply to the CMS zone district do not permit Community and Religious Assembly uses in facilities in excess of 2,000 square-feet as a principal use. Because the accessory use must follow the same regulations as the principal use, the same restriction on size applies to a proposed accessory use. Therefore, Community and Religious Assembly in facilities in excess of 2,000 square feet is not permitted as an accessory use on the subject property.
4. If the subject property is proposed to be used for Community and Religious Assembly as either the principal or accessory use, the following applications are required:
    - A General Plan Amendment/Rezone Application to change the land use designation and zone district to a category that permits Community and Religious Assembly uses in facilities in excess of 2,000 square feet.
    - A Conditional Use Permit (CUP) to operate a Community and Religious Assembly facility if the subject property is rezoned to a district that permits this use, and a CUP is required by that zone district.

Please note, by accepting an application for processing, the City does not guarantee approval of that application. Pursuant to FMC Section 15-5810, the City Council must hold a hearing to consider a proposed Plan Amendment and Rezone and may approve, modify, or deny the proposed application.

This information was researched by the undersigned per the zoning request. The undersigned certifies that the above information contained herein is believed to be accurate and is based upon, or relates to, the information supplied by the requestor. The City of Fresno assumes no liability for errors and omissions. All information was obtained from public records held by the Planning and Development Department, which may be inspected during regular business hours.

Sincerely

THOMAS C. ESQUEDA
City Manager, City of Fresno

cc: Talia Kolluri, City Attorney's Office

EXHIBIT "9"

January 27, 2021

Notes from meeting with Fresno City Council members:

-occurred on or about January 11, 2021

-Esmeralda Soria, Terry Cox, Miguel Arias and Laurence were present

-the primary topic of discussion was the sale of the Tower Theatre to Adventure Church

-the City inquired about the terms of the purchase to Adventure Church

-the City mentioned that they might be interested in purchasing the property

-the City mentioned that they would explore eminent domain action

-the City asked that "Wouldn't I rather sell to someone else?"

-the City mentioned potential zoning issues for a church

-the City stated that the City could not stop the sale but to have me mention to the Church and about above matters

Laurence Abbate

Date: 1-27-21

EXHIBIT "10"

JERRY P. DYER
MAYOR

January 27, 2021

Anthony Flores
Senior Pastor
Adventure Church
1012 N. Palm Avenue
Fresno, CA 93728

Dear Anthony,

As you know, I was elected Mayor on the platform of One Fresno. That means bringing people together from all walks of life in order to have unity in our community. Everything I have done since the election, and everything that I will continue to do as the Mayor of this City, will be in furtherance of this goal.

As I shared with you over the phone, I have been inundated with hundreds of letters and emails from those who patronize or live in the Tower District who have expressed deep concerns over the sale of the Tower Theatre to Adventure Church. I have read and responded to each one of the emails and have made a commitment to do all I can to bring forth a peaceful resolution and to preserve the Tower District's unique fabric and characteristics.

In order to achieve a peaceful resolution and unify this City, I would like to present you with this long-term license agreement offer between Adventure Church and the City of Fresno for the use of the Fresno Memorial Auditorium at 2425 Fresno Street. This resolution would also avoid any long and expensive legal disputes regarding the applicability of City zoning laws for the Tower Theater.

The license agreement would be for 10 years and, with the City Manager's approval, an option for an additional 10 years. You would have use of the facility all day on Sundays and Wednesday evenings. The monthly rent would be $2,000 for the first 5 years; $2,250 for years 6 through 10; $2,500 for years 11 through 15; and $2,750 for years 16 through 20. The monthly rent would include gas, electricity, water and sewer.

The City of Fresno will make necessary renovations to the Memorial Auditorium to make it a safe and healthy environment. We will also maintain the facility on a regular basis.

JERRY P. DYER
MAYOR

The license agreement would be conditioned on Adventure Church not purchasing the Tower Theater and not holding church services there once you are able to use the Fresno Memorial Auditorium. The license agreement will also require approval by the Fresno City Council, but you have my word that my staff and I will do everything in our power to gain Council approval and shepherd this agreement through the process.

Anthony, once you give me your commitment that Adventure Church's leadership accepts this offer in concept, I pledge to direct all available City resources toward finalizing this arrangement.

I know this has been a difficult time for you and your congregation and that you never anticipated that the purchase of the Tower Theatre would create this kind of division within our community. Like me, I know you are a "Peacemaker", and it is your desire to unite our city. Together, I am confident we will be able to achieve that goal. Thank you for everything you do for our community. I look forward to working with you to resolve this issue and I hope to be invited to join you and your congregation at your first Fresno Memorial Auditorium service.

Sincerely,

Jerry Dyer
Mayor, City of Fresno

cc: Tommy Esqueda, City Manager
Doug Sloan, City Attorney
Dan Zack, Downtown Development
Tim Orman, Chief of Staff

EXHIBIT "11"

ALESHIRE & WYNDER LLP

ORANGE COUNTY | LOS ANGELES | RIVERSIDE | CENTRAL VALLEY

alaylor@awattorneys.com
(949) 250-5427

18881 Von Karman Avenue,
Suite 1700
Irvine, CA 92612
P (949) 223-1170
F (949) 223-1180

AWATTORNEYS.COM

February 2, 2022

Fred Meine, Esq.
Coleman & Horrowitt, LLP
499 W. Shaw Ave., Suite 116
Fresno, California 93704

Re: *City of Fresno v. Tower Theatre Properties, Inc, et al.*
Fresno County Superior Court, Case No. 21CECG01407
Offer pursuant to Evidence Code section 1152

Dear Mr. Meine:

This letter provides an offer by the City of Fresno to purchase the Tower Theatre and includes Sequoia Brewery in this offer to purchase since both buildings are on the same legal parcel.

Recently, in December 2021, you served discovery in the above-referenced case requesting, among other information, the appraisal for the Tower Theatre property. Without waiving our objections, the appraised value of the property is $4,025,000 based on the appraisal conducted per the above-referenced lawsuit.

Additionally, you indicated in the litigation in *J&A Mash & Barrel, LLC v. The Superior Court of Fresno County*, Court of Appeal Case No F083104, that the purchase and sale agreement between Tower Theatre and Adventure Church has expired and that it no longer has any force or effect. Sequoia Brewery has a right of first refusal for the subject property per the recent Court of Appeal Opinion and subject to further trial court proceedings.

Consistent with the issues addressed in the above-referenced lawsuits, the City proposes the following offer to resolve all issues in both cases under Evidence Code section 1152, subject to City Council approval:

1. Purchase Price. The purchase price shall be $4,025,000 all cash for the entire property, which is located on the north side of E. Olive Ave., between N. Linden and N. Wishon Avenues and is further identified as Assessor Parcel Number 451-265-03. The subject property consists of both Sequoia Restaurant/Brewery and the historic theater known as Tower Theater, containing a total of 24,817 SF and located on a 1.83-acre or 79,788-square-foot parcel, and the parking lot. After close of escrow, Tower Theatre will become City property for public use under specified historical preservation covenants, access rights for the community and said use shall include uses such as incidental private meetings and religious uses of all types, consistent with all

applicable federal, state and local laws. The parking lot shall become a city parking lot, subject to parking easement rights as determined by the City for Sequoia Brewery.

2. Escrow. Escrow shall be opened with Fidelity National Title Insurance Company ("Fidelity") within 7 days following the execution and delivery of a mutually agreeable purchase and sale agreement approved by the City Council.

3. Deposit. Upon opening of Escrow, Buyer shall deposit with Escrow Holder a $100,000 deposit. Upon Expiration of the due diligence period, Buyer shall deposit with Escrow Holder an additional $100,000 deposit (for a total deposit of $200,000). The deposit shall be applicable towards the Purchase Price.

4. Due Diligence Period. Within 7 days of opening of Escrow, Seller shall provide Buyer with copies of all leases, contracts, environmental reports, and other documents affecting the Property as well as a current preliminary title report issued by Fidelity and a list of all personal property used with respect to the Property. Buyer shall have 180 days from receipt of the documents to conduct due diligence with respect to the Property including the right to inspect as specified below.

5. Close of Escrow. Escrow shall close 60 days after the later to occur of expiration of the due diligence period and satisfaction of the conditions to close set forth below.

6. Conditions to Close:

a. Title Policy. An ALTA non-extended owners title policy is issued by Fidelity with coverage in the amount of the purchase price showing only non-delinquent real property taxes and exceptions as approved by Buyer.

b. Leases. All approved leases shall be assigned to Buyer with security deposits and rents prorated to Closing.

c. Contracts. All approved contracts shall be assigned to Buyer with fees prorated to closing. Unapproved contracts shall be terminated prior to closing.

d. Personal Property. All personal property shall be transferred to Buyer.

e. Settlement. Any and all disputes regarding the sale of the Property will be resolved by the applicable parties including any prior buyer to the satisfaction of Buyer and title cleared of any lis pendens.

7. Right of Entry. Buyer, its agents and employees, shall have a license to enter the Property to conduct certain investigations and tests during the due diligence period provided Buyer

shall not cause any waste or damage, violate existing tenant's rights and will provide evidence of general liability insurance to Seller with coverage of not less than $2,000,000.

8. Representations and Warranties by Seller. Seller shall provide standard representations and warranties regarding environmental, title, use restrictions and condemnation.

9. Fees and Expenses. Seller shall pay for the title insurance policy and transfer taxes (if applicable). Buyer is exempt from recording fees. The escrow fee shall be split between the parties. Each party will pay the fees of their respective legal counsel. All other expenses shall be paid in accordance with the custom in Fresno County.

10. Financing. This proposal is not subject to Buyer obtaining financing.

11. Commissions. No commission will be paid due to the sale of the Property.

12. Other. All other terms and conditions shall be subject to a mutually acceptable purchase contract based on the terms and conditions of this proposal, which shall be provided by Seller and fully negotiated within 14 business days of Seller's response to this proposal, subject to City Council approval.

The foregoing is an expression of intent and does not constitute a binding agreement. The parties will be bound only when the parties execute a purchase and sale agreement after approval by the City Council.

If you agree to the terms and conditions of this proposal, please advise me in writing on or before 5 pm on Wednesday, February 9, 2022. Upon receipt of your response, we will arrange a meeting to negotiate a purchase and sale agreement. I have also copied counsel for Adventure Church and Sequoia Brewery, consistent with the Court's July 2021 ruling in the above-referenced case.

Should you have any questions, please contact me to discuss this matter further.

Sincerely,

ALESHIRE & WYNDER, LLP

Anthony R. Taylor

cc: Nathan Klein, Esq., for Adventure Church
Craig Meredith, Esq., for Sequoia Brewery

EXHIBIT "11"

EXHIBIT "12"

AMERICA'S CHRISTIAN
CREDIT UNION

December 22, 2020

Adventure Church Inc.
1012 North Palm Ave
Fresno, CA 93728

Loan Approval

Dear Partner in Ministry,

Thank you for your recent request for a Ministry Real Estate Loan. It is our pleasure to be able to offer you the following loan approval which we are privileged and excited to process to closing in the very near future. America's Christian Credit Union (ACCU) is appreciative of your engagement with our Christian organization to serve your financial needs.

Loan Purpose:	To purchase new facility in Fresno CA, to serve as the Church's main campus with no cash-out.
Loan Amount:	$4,021,500.00
Payment Amount:	$23,392.28 (est.)
Term:	4.950% for the first 5 years then, reset at CMT + 2.65% for the remaining term; balloon payment due at maturity.
Maturity:	10 years (120 months)
Amortization:	25 years (300 months)

Conditions and Covenants

This loan is to be secured by a First Trust Deed Lien in favor of ACCU on property located at: 1247 North Wishon Avenue; 777 and 815 East Olive Avenue; 1012 North Palm Avenue; and 1004 North Palm Avenue, Fresno, CA 93728.

Primary Banking Relationship: The Borrowers' operating accounts are to be established and maintained at ACCU throughout the term of the loan with 90% of total cash assets, the funds will be verified annually as of fiscal year end.

AMERICA'S CHRISTIAN
CREDIT UNION

Debt Service Coverage Ratio: The Borrower is to maintain a Debt Service Coverage Ratio above 1.05x throughout the term of the loan, the ratio will be measured annually as of fiscal year end.

Liquidity: The Borrower is to maintain liquidity of $140,350.00 (One Hundred Forty Thousand Three-Hundred Fifty Dollars) approximately 6 (six) months' worth of loan payments throughout the term of the loan in an ACCU account, the amount will be measured annually as of fiscal year end.

Financial Statement: Adventure Church Inc. - CPA Reviewed Financial Statements reflecting all operations and activities (including any special offering or campaigns) must be submitted to ACCU no later than 90 days of fiscal year end.

Prepayment Penalty: In the event the loan is paid off within the first three (3) years of the loan terms as a result of a refinance by a (Financial Institution,) Lender other than ACCU, a fee equal to 90 days' interest on the outstanding balance owed will be charged. If paid from internally generated source of funds, the prepayment penalty will not apply.

Remaining Items Needed Prior to Closing

Authorization: ACCU is requiring your authorization to proceed with closing of the loan. Please sign this letter and return to ACCU by December 28, 2020.

Corporate Resolution: Required, forms attached. To be completed by all parties signing the loan documents.

Corporate Personal Profile: Required, forms attached. To be completed by all parties signing the loan documents as well as persons authorizing to access the corporate checking/savings accounts.

Driver License: Required, to be provided by all parties signing the loan documents and all parties authorized to access the corporate checking/savings accounts.

Meeting Minutes: Required, please submit meeting minutes approving Mortgage and authorization of the specific signers on loan documents and their titles.

Formation Documents: Adventure Church Bylaws.

Membership: New Membership to be established under Adventure Church Inc.

Reserves: Cash reserves equal or greater than $70,177.00 (Seventy Thousand One Hundred Seventy-Seven Dollars) approximately 3 (Three) months' worth of loan payments to be maintained in a ACCU account.

ACH Debit Authorization: Required, this document will be included with you loan documents (if using an external Financial Institution please provide a copy of a voided check)

AMERICA'S CHRISTIAN
CREDIT UNION

Property Insurance Certificate: Required, please provide insurance agent information e.g. name, address and phone number.

Title Insurance: A Lender's policy issued by a Title Company approved by ACCU insuring the clear title and ACCU first lien position – ACCU to obtain

Environmental: Environmental Report indicating no recognized environmental conditions – see "subject to" notes below.

This loan is subject to any necessary environmental site work to be completed and a clean review indicating no recognized environmental conditions.

***This loan approval will expire in 90-Days from the date of this letter, If the loan is not funded within 90-Days, the loan approval may be extended only at ACCU's discretion and the rate is subject to change. The loan may also be subject to further underwriting review or cancellation.**

Note: If all conditions are not met to the satisfaction of America's Christian Credit Union, this approval may be rescinded.

By signing this form, I, an authorized signer, understand that we are giving America's Christian Credit Union authorized to proceed and close our loan. We understand we are obligated for the appraisal fees, in the event that we should cancel, delay this process, or if the appraised value does not meet ACCU requirements. If you have any questions, please contact Matthew Johansen at 626-208-5487 or by email: mjohansen@americasccu.com On behalf of ACCU Team, we want to thank you for allowing America's Christian Credit Union to assist you with your financial needs.

Acceptance of Terms/Final Loan Documents

Please sign below indicating you acknowledge the loan terms and conditions of approval as stipulated in this document. Kindly note that the loan and its corresponding terms and conditions will be agreed to and governed by executed loan documents which will establish the final agreement between ACCU and you, and in the event of any conflict the executed loan documents will prevail.

Sincerely,
Cory Miller

Cory Miller
AVP of Corporate Services

Acknowledge by:

_____

Pastor Anthony Flores

The credit union is federally insured by the National Credit Union Administration (NCUA). Added savings protection provided by American Share Insurance (ASI) on qualifying member's accounts in excess of that provided by NCUA. ASI is a credit union owned-share guaranty corporation. See a credit union representative for details. Equal housing opportunity.

AMERICA'S CHRISTIAN
CREDIT UNION

PRIMARY OPERATING ACCOUNT & DEPOSIT AGREEMENT

Interest Rate Requirement: ACCU is requiring operating accounts to be maintained by the Borrower for this loan to receive the initial interest rate of 4.95%.

Account Requirements: The operating account is to be established and maintained until the loan is paid in full. This account requires 90.0% of cash assets on deposit, measured annually as of fiscal year end. If at any time during the term of this loan any of the account requirements are not met or the account becomes closed, the interest rate will be raised by 1.00% until the account requirements are met for at least three (3) consecutive months.

Extenuating Circumstances: ACCU reserves the right in its sole and absolute discretion to waive or reduce the above referenced requirement based on the knowledge of extenuating circumstances.

Operating Account Activity means the account has regular banking activity, such as regular/weekly incoming deposits and withdrawals or payments using checks, automated debits or Bill Pay for recurring monthly operating expenses.

Acknowledge by:

_____

Pastor Anthony Flores

The credit union is federally insured by the National Credit Union Administration (NCUA). Added savings protection provided by American Share Insurance (ASI) on qualifying member's accounts in excess of that provided by NCUA. ASI is a credit union owned share guaranty corporation. See a credit union representative for details. Equal housing opportunity.

AMERICA'S CHRISTIAN
CREDIT UNION

Good Faith Estimate of Charges

Item	Estimated Charges
Origination Fee (1.00%)	$40,215.00
Prepaid Interest (10 days)	$5,529.56
Processing Fee	$2,000.00
Underwriting Fee	$500.00
Appraisal Fees	$9,050.00
Appraisal Review Fees	$1,550.00
Environmental Fees	$19,397.00
Title/Escrow/Recording Fees	$6,000.00
Flood Determination Cert. x4	$100.00
Tax Monitoring Service	$441.00
Business Credit Report	$65.00
Good Faith Deposit	(5,000.00)
Est. Closing Cost	**$84,847.56**

Acknowledge by:

_____

Pastor Anthony Flores

2100 E. Route 66 P.O. Box 5100 Glendora, CA 91740 | Toll-Free: 800.343.6328 | Fax: 626.208.5409

The credit union is federally insured by the National Credit Union Administration (NCUA). Added savings protection provided by American Share Insurance (ASI) on qualifying member's accounts in excess of that provided by NCUA. ASI is a credit union owned-share guaranty corporation. See a credit union representative for details. Equal housing opportunity.

EXHIBIT "13"

AMERICA'S CHRISTIAN
CREDIT UNION

February 3, 2021

Adventure Church Inc.
1012 North Palm Ave
Fresno, CA 93728

Revised Loan Approval

Dear Partner in Ministry,

Thank you for your recent request for a Ministry Real Estate Loan. It is our pleasure to be able to offer you the following loan approval which we are privileged and excited to process to closing in the very near future. America's Christian Credit Union (ACCU) is appreciative of your engagement with our Christian organization to serve your financial needs.

Loan Purpose:	To purchase a facility in Fresno CA, to serve as the Church's main campus with no cash-out.
Loan Amount:	$4,021,500.00
Payment Amount:	$23,392.28 (est.)
Term:	4.950% for the first 5 years then, reset at CMT + 2.65% for the remaining term; balloon payment due at maturity.
Maturity:	10 years (120 months)
Amortization:	25 years (300 months)

Conditions and Covenants

This loan is to be secured by a First Trust Deed Lien in favor of ACCU on property located at: 1247 North Wishon Avenue; 777 and 815 East Olive Avenue; 1012 North Palm Avenue; and 1004 North Palm Avenue, Fresno, CA 93728.

Primary Banking Relationship: The Borrowers' operating accounts are to be established and maintained at ACCU throughout the term of the loan with 90% of total cash assets, the funds will be verified annually as of fiscal year end.

The credit union is federally insured by the National Credit Union Administration (NCUA). Added savings protection provided by American Share Insurance (ASI) on qualifying member's accounts in excess of that provided by NCUA. ASI is a credit union owned-share guaranty corporation. See a credit union representative for details. Equal housing opportunity.

AMERICA'S CHRISTIAN
CREDIT UNION

Debt Service Coverage Ratio: The Borrower is to maintain a Debt Service Coverage Ratio above 1.05x throughout the term of the loan, the ratio will be measured annually as of fiscal year end.

Liquidity: The Borrower is to maintain liquidity of $280,707.36 (Two Hundred Eighty Thousand Seven Hundred and Seven Dollars and Thirty-Six Cents) approximately 12 (twelve) months' worth of loan payments throughout the term of the loan in an ACCU account, the amount will be measured annually as of fiscal year end.

Tenants: Upon completion of the loan purchase, Borrower agrees to begin the process of selling two standalone restaurants occupied by Sequoia Brewing Company and Me-n-Ed's On Tap.

Occupancy: A conditional use permit and other documentation by the city of Fresno are required. Adventure Church Inc. agrees to fully occupy Tower Theater within twelve months after loan funding. Additionally, Adventure Church Inc. agrees if the church is not able fully occupy the Theater within the agreed timeframe the property will need to be sold.

Financial Statement: Adventure Church Inc. - CPA Reviewed Financial Statements reflecting all operations and activities (including any special offering or campaigns) must be submitted to ACCU no later than 90 days of fiscal year end.

Prepayment Penalty: In the event the loan is paid off within the first three (3) years of the loan terms as a result of a refinance by a (Financial Institution,) Lender other than ACCU, a fee equal to 90 days' interest on the outstanding balance owed will be charged. If paid from internally generated source of funds, the prepayment penalty will not apply.

Remaining Items Needed Prior to Closing

Authorization: ACCU is requiring your authorization to proceed with closing of the loan. Please sign this letter and return to ACCU by February 5, 2021.

Reserves: Cash reserves equal or greater than $70,177.00 (Seventy Thousand One Hundred Seventy-Seven Dollars) approximately three months' worth of loan payments.

ACCU Board Approval: Needed to authorize loan closing under the current conditional use permit whereas the church has limited use of the facility.

ACH Debit Authorization: Required, this document will be included with you loan documents (If using an external Financial Institution please provide a copy of a voided check)

Property Insurance Certificate: Required, please provide insurance agent information such as name, address and phone number.

The credit union is federally insured by the National Credit Union Administration (NCUA). Added savings protection provided by American Share Insurance (ASI) on qualifying member's accounts in excess of that provided by NCUA. ASI is a credit union owned-share guaranty corporation. See a credit union representative for details. Equal housing opportunity.

AMERICA'S CHRISTIAN
CREDIT UNION

Title Insurance: A Lender's policy issued by a Title Company approved by ACCU insuring the clear title and ACCU first lien position – ACCU to obtain

Environmental: Environmental Report indicating no recognized environmental conditions – see "subject to" notes below.

This loan is subject to any necessary environmental site work to be completed and a clean review indicating no recognized environmental conditions.

***This loan approval will expire in 90-Days from the date of this letter, if the loan is not funded within 90-Days, the loan approval may be extended only at ACCU's discretion and the rate is subject to change. The loan may also be subject to further underwriting review or cancellation.**

Note: If all conditions are not met to the satisfaction of America's Christian Credit Union, this approval may be rescinded.

By signing this form, I, an authorized signer, understand that we are giving America's Christian Credit Union authorized to proceed and close our loan. We understand we are obligated for the appraisal fees, in the event that we should cancel, delay this process, or if the appraised value does not meet ACCU requirements. If you have any questions, please contact Matthew Johansen at 626-208-5487 or by email: mjohansen@americasccu.com On behalf of ACCU Team, we want to thank you for allowing America's Christian Credit Union to assist you with your financial needs.

Acceptance of Terms/Final Loan Documents

Please sign below indicating you acknowledge the loan terms and conditions of approval as stipulated in this document. Kindly note that the loan and its corresponding terms and conditions will be agreed to and governed by executed loan documents which will establish the final agreement between ACCU and you, and in the event of any conflict the executed loan documents will prevail.

Sincerely,
Cory Miller

Cory Miller
AVP of Corporate Services

Acknowledge by:

_____

Pastor Anthony Flores

The credit union is federally insured by the National Credit Union Administration (NCUA). Added savings protection provided by American Share Insurance (ASI) on qualifying member's accounts in excess of that provided by NCUA. ASI is a credit union owned-share guaranty corporation. See a credit union representative for details. Equal housing opportunity.

AMERICA'S CHRISTIAN
CREDIT UNION

PRIMARY OPERATING ACCOUNT & DEPOSIT AGREEMENT

Interest Rate Requirement: ACCU is requiring operating accounts to be maintained by the Borrower for this loan to receive the initial interest rate of 4.95%.

Account Requirements: The operating account is to be established and maintained until the loan is paid in full. This account requires 90.0% of cash assets on deposit, measured annually as of fiscal year end. If at any time during the term of this loan any of the account requirements are not met or the account becomes closed, the interest rate will be raised by 1.00% until the account requirements are met for at least three (3) consecutive months.

Extenuating Circumstances: ACCU reserves the right in its sole and absolute discretion to waive or reduce the above referenced requirement based on the knowledge of extenuating circumstances.

Operating Account Activity means the account has regular banking activity, such as regular/weekly incoming deposits and withdrawals or payments using checks, automated debits or Bill Pay for recurring monthly operating expenses.

Acknowledge by:

_____

Pastor Anthony Flores

The credit union is federally insured by the National Credit Union Administration (NCUA). Added savings protection provided by American Share Insurance (ASI) on qualifying member's accounts in excess of that provided by NCUA. ASI is a credit union owned-share guaranty corporation. See a credit union representative for details. Equal housing opportunity.

AMERICA'S CHRISTIAN
CREDIT UNION

Good Faith Estimate of Charges

Item	Estimated Charges
Origination Fee (1.00%)	$40,215.00
Prepaid Interest (10 days)	$5,529.56
Processing Fee	$2,000.00
Underwriting Fee	$500.00
Appraisal Fees	$9,050.00
Appraisal Review Fees	$1,550.00
Environmental Fees	$19,397.00
Title/Escrow/Recording Fees	$6,000.00
Flood Determination Cert. x4	$100.00
Tax Monitoring Service	$441.00
Business Credit Report	$65.00
Good Faith Deposit	(5,000.00)
Est. Closing Cost	**$84,847.56**

Acknowledge by:

_____

Pastor Anthony Flores

2100 E. Route 66 P.O. Box 5100 Glendora, CA 91740 | Toll-Free: 800.343.6328 | Fax: 626.208.5409

The credit union is federally insured by the National Credit Union Administration (NCUA). Added savings protection provided by American Share Insurance (ASI) on qualifying member's accounts in excess of that provided by NCUA. ASI is a credit union owned share guaranty corporation. See a credit union representative for details. Equal housing opportunity.

EXHIBIT "14"

David Emerzian

From: Meyer, Sue <meyers@CTT.com>
Sent: Thursday, April 07, 2022 5:50 PM
To: David Emerzian
Cc: 'Bill Richardson'; Anthony Flores
Subject: RE: Escrow #45002641 Amended Prelim 777 E Olive Ave, Fresno, CA 93728

This message was sent securely using Zix®

David,
I've pulled my file and can confirm the following:

1. I have not prepared or received any cancellation instructions.
2. I've got $815,500 currently in escrow. We've had total deposits of $833,500 and $15,000 was approved to be released to the seller back on 3/3/21.
3. Escrow is still open.
4. I've been given no written instructions from either party to terminate the escrow.

Let me know if you need anything else

Sue Meyer - Escrow Officer
Chicago Title Company
Commercial/Ag Unit
7330 N. Palm Ave. Ste. 101
Fresno, CA 93711
Direct- 559-451-3736
Fax - 559-431-8936

****Be aware! Online banking fraud is on the rise. If you receive an email containing WIRE TRANSFER INSTRUCTIONS call your escrow officer immediately to verify the information prior to sending funds.****

From: David Emerzian <David.Emerzian@mccormickbarstow.com>
Sent: Thursday, April 7, 2022 7:07 AM
To: Meyer, Sue <meyers@CTT.com>
Cc: 'Bill Richardson' <bill@fresyes.com>; Anthony Flores <Anthony@acc559.com>; David Emerzian <David.Emerzian@mccormickbarstow.com>
Subject: Escrow #45002641 Amended Prelim 777 E Olive Ave, Fresno, CA 93728

IMPORTANT NOTICE - This message sourced from an external mail server outside of the Company.
Good morning sue. I am counsel for Adventure Church, Inc. I have copied Pastor Anthony Flores and Bill Richardson. Can you please confirm the following:

1. Cancellation instructions were never prepared for Escrow #45002641 Amended Prelim 777 E Olive Ave, Fresno, CA 93728.
2. Buyer's funds, approximately $833,000, are still in escrow and have not been released.
3. Escrow #45002641 Amended Prelim 777 E Olive Ave, Fresno, CA 93728, is still open.
4. Neither Seller nor Buyer have informed you that Escrow #45002641 Amended Prelim 777 E Olive Ave, Fresno, CA 93728, has been terminated.

Thank you.

David Emerzian
Partner
McCormick Barstow LLP
7647 North Fresno Street | Fresno, CA 93720
Main (559) 433-1300 | Fax (559) 433-2300

www.mccormickbarstow.com

NOTICE: The information contained in this message is proprietary and/or confidential and may be privileged. If you are not the intended recipient of this communication, you are hereby notified to: (i) delete the message and all copies; (ii) do not disclose, distribute or use the message in any manner; and (iii) notify the sender immediately.

This message was secured by Zix®.

EXHIBIT "15"

CASE HISTORY REPORT
CASE NUMBER E20-11335

CASE TYPE: General Enforcement
Assessor's Parcel Number: 451-265-03
Primary Address: 777 E OLIVE AVE
FRESNO, CA 93728

Date Established: 12/07/2020
Status: Closed
Closed Date: 12/22/2020

Inspector Assigned: Mark Medina
Inspector Phone: 559-621-8479
Inspector Email: Mark.Medina@fresno.gov

CASE DATA:

JURISDICTION:	CITY
ZONE CODE:	CMS
INSPECTION AREA:	
COUNCIL DISTRICT:	1
ACREAGE:	1.83

FINE SUMMARY: TOTAL INVOICED: $0.00
TOTAL PAID: $0.00
BALANCE: $0.00

NARRATIVE: FresGO: Adventure Church has been holding indoor service without CUP for church over 2,000sf in a Community Commercial district, as required per zoning code. Looks like also in violation of COVID-19 emergency orders.

OWNER:

Primary	TOWER THEATRE PRODUCTIONS	815 E OLIVE	FRESNO	CA	93728

CONTACTS:

TYPE	NAME	ADDRESS
Complainant		

HISTORY:

Date	Action	Details
12/07/2020	**Violation Added: ZC Conditional Use Permit Viol**	
12/07/2020	**Violation Added: ZC HOME OCCUPATION (BUSINESS)**	
12/07/2020	**Inspection Scheduled**	**Inspection Type**: Initial Inspection **Inspector**: **Request Comments**:Scheduled via Script
12/07/2020	**Record Comment**	**Entered By**: Administrator **Comment**: Reference address found and added to the SHADOW record.
12/15/2020	**Assigned to Area**	**Action By**: Brandon La Gue **Time**: 0.00 **Comments**:

CASE HISTORY REPORT
CASE NUMBER E20-11335

12/17/2020	**SR CASE ASSIGNED TO INSPECTOR**	**Status:** COMPLETED **Assigned Staff:** Mark Medina **Time:** .10 **Description:** Assigned to Mark Medina 12/17/2020 Case assigned to Inspector Mark Medina. DC
12/17/2020	**CS CONSULTATION**	**Status:** □ **Assigned Staff:** Mark Medina **Time:** .1 **Description:** Consultation Per Senior David, I reach out to Supervisor Eva for evaluation for the COVID-19 enforcement and left service request with Supervisor for further review. -MXM 12/17/2020
12/17/2020	**Inspector Assigned**	**Action By:** David Ceballos **Time:** 0.00 **Comments:**

CASE HISTORY REPORT
CASE NUMBER E20-11335

12/18/2020	GN GENERAL NOTES	**Status: D Assigned Staff: Mark Medina Time: .1** Description: Service Request Returned Supervisor Eva returned service request and informed me that emergency order enforcement will not proceed and I will address the zoning issue. **-MXM 12/18/2020**

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12/18/2020	RO RESEARCH PROPERTY	Status: □ Assigned Staff: Mark Medina Time: .5 Description: Research Property Research property. I found record P20-04581 for a zoning inquiry from Planning dept. They were requesting if indoor service can be allowed at the subject property. I read the the zoning inquiry letter and the main points stated are: The main use of the property cannot be changed to "Community and Religious Assembly" however church service can proceed as an accessory use as long as use is not altered to principal use. The operating statement in the letter from the owner stated that a events will proceed on a 1:2 or 1:3 use where as events will occur 2 or 3 times for every single church service. -MXM

CASE HISTORY REPORT
CASE NUMBER E20-11335

12/18/2020	**CC CLOSE CASE**	**Status:** ☐ **Assigned Staff:** Mark Medina **Time:** .1 **Description:** Close Case zoning uses are outlined in zoning inquiry letter. close case. -MXM
12/22/2020	**No Violation**	**Action By:** Mark Medina **Time:** 0.00 **Comments:**

EXHIBIT "16"

City of FRESNO

OFFICE OF THE CITY ATTORNEY
CODE ENFORCEMENT

Douglas T. Sloan
City Attorney

January 5, 2021

Sent Via E-mail (info@towertheatrefresno.com), U.S. Mail and Hand Delivered

The Tower Theatre for the Performing Arts
809 E. Olive Ave.
Fresno, CA 93728

Laurence Abbate, Agent for Service
815 E. Olive Ave.
Fresno, CA 93728

Re: Violation of Emergency Orders and Zoning Regulations

Dear Owner/Operator of Tower Theatre and Mr. Abbate:

Please be advised, you are currently in violation of the City of Fresno's (City) Emergency Orders, the State of California's (State) Regional Stay at Home Orders, as well as zoning regulations.

Violation of Emergency Orders

On July 15, 2020, former City Manager Wilma Quan issued a modified Emergency Order 2020-17, adopting all State orders. On December 7, 2020, the State issued the Regional Stay at Home Order for the San Joaquin Valley (including Fresno County). Under the Regional Stay at Home Order, no social gatherings are permitted, whether indoor or outdoor. There is an exception for gatherings for First Amendment protected activities such as faith-based services, cultural ceremonies, and protests, however these activities can only be open outdoors with modifications and must follow the guidelines issued by the State (see attached guidance for places of worship). Per the State's guidelines, "discontinue singing, group recitation, and other practices and performances, or ensure physical distancing greater than six feet." Additionally, per the Fresno County Public Health Department, there can only be a maximum of 25 people (see attached).

On December 31, 2020, the City notified your tenant, Adventure Church, it was operating in violation of the Emergency Orders and urged them to comply with State and Local guidelines to slow and reduce the spread of coronavirus, as the San Joaquin Region is currently at zero percent ICU capacity. Nevertheless, it has again been reported, Adventure Church continues to violate the Emergency Orders by hosting large indoor gatherings.

Violation of Zoning Regulations

In addition to being in violation of the State and local Emergency Orders, the religious assemblies occurring at the Tower Theatre are also in violation of zoning regulations. The Tower Theatre, located at 809 E. Olive, is on a parcel currently zoned Commercial Main Street (CMS), which prohibits community and religious assembly uses in excess of 2,000 square feet. The Tower Theatre is well over 2,000 square feet.

Under the Fresno Municipal Code (FMC), owners remain liable for violations of duties imposed (maintaining the premises free of public nuisances) even though an obligation is also imposed on the occupants of the building. Zoning ordinance violations are

considered public nuisances (FMC section 10-604(c)), and are therefor subject to fines and/or injunctive relief.

In addition, every responsible party owning, possessing, or having charge or control of real property within the City is required to manage that property and control the environment thereon in a manner so as not to violate the provisions of this article, and every responsible party may be jointly and severally liable for violations thereof regardless of any contract or agreement among them or with any third party regarding the property. Every responsible party is required to comply with all laws applicable to the property, supervise anyone utilizing, using, or occupying the property, and maintain the property in a lawful manner. (FMC section 10-703)

To avoid further action by the City, your Theatre must cease indoor operations immediately. Continued violations may subject you to summary closure, criminal prosecution, revocation of your business license, and/or conditional use permit, fines, and other legal action.

Sincerely,

ERICA M. CAMARENA
Chief Assistant City Attorney

Attachments

EXHIBIT "17"

DECLARATION OF LAURANCE ABBATE IN SUPPORT OF REPLY TO PLAINTIFF'S MEMORANDUM

I, Laurence Abbate, declare as follows:

1. I am over the age of eighteen years and am the manager of the Tower Theater Properties, Inc. (the "Defendant"). In that capacity, I am aware of all the business activities of the Defendant, including the dealings with Adventure Church, Inc. for the purchase of the real property bounded by East Olive Avenue to the South, North Linden Avenue to the West, East Fern Avenue to the North and North Wishon Avenue to the East in the City of Fresno (the "Property"). Except for those matters stated on information and belief, I have personal knowledge of the facts contained herein, and if called upon as a witness, I could testify competently thereto. With respect to those matters stated on information and belief, I believe them to be true and could testify competently thereto.

2. This Declaration is filed in support of Reply to Plaintiff's Memorandum of Points and Authorities in Support of Request for Preliminary Injunction.

3. J&A Mash and Barrel, LLC, a California limited liability company is a current tenant of Defendant, leasing a portion of the Property commonly known as 777 and 779 E. Olive Avenue, consisting of approximately 5,600 square feet of space in a building and 700 feet of outdoor patio space (the "Premises"). The current lease documents consist of the documents as set forth in the FAC as Exhibit "1"--namely the Lease, the Lease Extension Agreement, and the Assignment of Lease (collectively the "Lease").

4. On or before August, 2020, Defendant was approached by Adventure Church, Inc. (the "Buyer") with the prospect of convincing Defendant to sell the Property to Buyer. Buyer was an incidental renter of Defendant with respect to a portion of the Property, not part of the Premises. Negotiations were had which resulted in the potential for sale with a number of contingencies to be met, including the procurement of financing by Buyer, investigations as to the condition of the Property, proper boundaries, and environmental studies and reports, among other (the "Contingencies"). As is customary, escrow was opened based on a conditional sale

Document received by the CA 5th District Court of Appeal.

agreement in order to obtain a title report to initiate the flow of information required for the analysis to be conducted by Buyer to evaluate the Property. On or about January 14, 2021, it appeared to Defendant, that all of Buyer's contingencies would be met and the sale would likely occur.

5. Defendant at no time during the process desired to sell the Premises separate from the Property. Therefore, if the Property was not going to be sold, Defendant did not desire to sell the Premises. It was only when Defendant determined that the Property was likely to be sold that Defendant finally developed the "desire" to sell the Premises for purposes of paragraph 36. It was at that time that Defendant notified Plaintiff of that desire in accordance with the language of paragraph 36A of the Lease.

6. Prior to entering into a contract for purchase of the Property, Buyer was informed by me of the provisions of paragraph 36 of the Lease and pursuant to the terms of the escrow instructions, Buyer was given a copy of the Lease, including the provisions of paragraph 36.

7. Defendant acknowledges that any rights or obligations of Tower Theater Properties, Inc. with respect to Plaintiff"s rights to purchase the Premises must be assumed by Buyer after the sale to Buyer is consummated.

8. The Premises have not yet been sold. A closing date is set for March 31, 2021.

9. Defendant is not refusing to disclose the terms of the offer made by Buyer to purchase the Premises. To the contrary, Defendant has always been open to discuss those terms.

10. Plaintiff is in default under the Lease and has been since at least March 31, 2020. Plaintiff has been sent invoices from March 1, 2020 through March 1, 2021, incorporating the common area and maintenance charges to which Plaintiff is responsible under the Lease. A true and correct copy of those invoices are attached hereto as Exhibit "1". Plaintiff has failed to make payment of such charges during that period as referenced in all checks received from Plaintiff for such invoices. A true and correct copy of the checks received and summary of unpaid charges are attached hereto as Exhibit "2". Those unpaid charges total $2,678.19.

11. Defendant has invested well over Twenty Thousand Dollars ($20,000.00), plus

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time and energy in satisfying the contingencies of the sale to Adventure Church, Inc. All of this will be lost if the sale is not consummated.

12. Adventure Church, Inc. is financing the purchase of the Property.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, and that this Declaration was executed on March ___, 2021.

LAURENCE ABBATE

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