

RESOLUTION NO.

R 253671

(R. 81-1534)

FEB 23 1981

WHEREAS, the City Manager terminated a lease between the City and Dr. Roy Byrnes involving certain property in the San Pasqual area, which termination was effective December 1, 1980, and was the result of a failure by the lessee to comply with the lease terms; and

WHEREAS, the City Manager has recommended the Council accept certain monies and personal property in full settlement of all claims and disputes between the City and the lessee resulting from the lease termination; NOW, THEREFORE,

BE IT RESOLVED, by the Council of The City of San Diego, that the City Manager is hereby authorized and empowered to accept \$16,500 previously paid by the lessee as the complete and total City share of sand revenues which were received during the leasehold term.

BE IT FURTHER RESOLVED, that the City Manager is authorized and empowered to accept \$3,333 in back rent for the period October through November, 1980, together with a late payment charge of \$500 as full settlement of all disputes regarding rent payment due under the lease.

BE IT FURTHER RESOLVED, that the City Manager is authorized and empowered to accept the lessee's proposal that all improvements installed on the leasehold property by the lessee shall

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be the property of the City.

BE IT FURTHER RESOLVED, that this settlement is pursuant to the conditions contained in that document dated January 6, 1981, on file in the office of the City Clerk as Document No. RR-253671.

APPROVED: JOHN W. WITT, City Attorney

By 
Harold O. Valderhaug Deputy

HOV:ps:731.17
2/19/81
Or.Dept. Exec.Sess.

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Passed and adopted by the Council of The City of San Diego on
by the following vote:

Councilmen	Yeas	Nays	Not Present	Ineligible
Bill Mitchell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bill Cleator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Susan Golding	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leon L. Williams	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Fred Schnaubelt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Gorch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dick Murphy	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lucy Killea	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Pete Wilson	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

PETE WILSON

Mayor of The City of San Diego, California.

CHARLES G. ABDELNOUR

City Clerk of The City of San Diego, California.

(Seal)

By Ellen Board, Deputy.

Office of the City Clerk, San Diego, California

Resolution Number R-253671 Adopted FEB 23 1981