

RESOLUTION NO. R-253672

(R.81-1535)

FEB 23 1981

WHEREAS, the City presently leases certain property in the San Pasqual Valley to Witman Ranch, Inc.; and

WHEREAS, certain disputes have arisen with regard to rental adjustments and amounts due City from the sale of sand removed from the leased premises; and

WHEREAS, the City Manager has proposed a settlement of the disputes; 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 30% of the gross sand revenues (\$10,884) received by the lessee since May 7, 1979, as the City's share of sand revenues under the lease.

BE IT FURTHER RESOLVED, that the City Manager is hereby authorized and empowered to grant rent credit to the lessee in the amount of \$19,268 to reflect changes in the usability of portions of the leased land due to the recent high water table, innundation, salt deposits and erosion.

BE IT FURTHER RESOLVED, that the City Manager is hereby authorized and empowered to execute an amendment to the lease providing for annual reclassification of the leasehold property by the City Manager to reflect changes in the usability of the land and to provide for increases and decreases in the rent

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due as a result of such reclassification and which lease amendment further provides that the City shall receive 30% of all gross revenues derived from sale of excess sand in connection with the maintenance of a pilot channel across the leased premises, under the terms and conditions set forth in that lease amendment on file in the office of the City Clerk as Document No. PP-253672-1.

BE IT FURTHER RESOLVED, that the above settlement and lease amendment are authorized pursuant to that document on file in the office of the City Clerk as Document No. PP-253672-2.

APPROVED: JOHN W. WITT, City Attorney

By 
Harold O. Valderhaug, Deputy

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

R 253672

Passed and adopted by the Council of The City of San Diego on FEB 23 1981,
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 Gotch	<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-253672 Adopted FEB 23 1981