

ORDINANCE NUMBER O- 19390 (NEW SERIES)

ADOPTED ON JUN 20 2005

WHEREAS, City is the owner of certain real property commonly known as Hickman Youth Fields [Property], which was conveyed to City pursuant to a quitclaim deed from the United States of America [Deed] for use as a public park and public recreational area only; and

WHEREAS, for approximately twenty-five years prior to the transfer of the Property to City, the Hickman Youth Athletic Association [Association] licensed the Property from the United States of America for exclusive use of the Property by Association for youth athletics; and

WHEREAS, Association and its constituent members are nonprofit entities having the purpose of funding, developing, managing, operating, and promoting the land and facilities which comprise the Property; and

WHEREAS, in the course of its past use of the Property, the Association and its constituent members have been solely responsible for the funding and development of all capital improvements upon the Property and have been solely responsible for the management, upkeep and operation of same; and

WHEREAS, Association desires to continue its use of the Property for youth athletic activities; and

WHEREAS, City desires to provide facilities to its citizens, non-commercial local societies, clubs and organizations engaged in civic, social, educational, cultural, recreational, or philanthropic work or activities; and

WHEREAS, Association is such an organization, and, in the promotion and sponsorship of such activities meets the aforementioned purposes of the City, generates revenues from voluntary contributions, special events, membership dues, fees, and fund-raising projects; and

WHEREAS, the City and Association have negotiated an agreement to allow the Association to use the Property for a term of twenty-five years for the sole purpose of conducting and promoting non-profit youth sports activities and programs in exchange for maintaining the Property and its improvements and such other terms as set forth in the proposed License Agreement; and


WHEREAS, the License Agreement has been approved as required by the Deed by the Secretary of the Interior of the United States in a letter dated March 3, 2005; NOW, THEREFORE,

BE IT ORDAINED, by the Council of the City of San Diego, that the City Manager be and is hereby authorized and empowered to execute, for and on behalf of City, a License Agreement with Hickman Youth Athletic Association for the use of Hickman Youth Fields and the right to construct improvements thereon for a twenty-five year term under the terms and conditions as set forth in the License Agreement on file in the office of the City Clerk as Document No. OO- 19390,

Section 2. That a full reading of this ordinance is dispensed with prior to its final passage, a written or printed copy having been available to the City Council and the public a day prior to its final passage.

Section 3. That this ordinance shall take effect and be in force on the thirtieth day from and after its passage.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By   
Carrie L. Gleeson  
Chief Deputy City Attorney

CLG:pev  
05/16/05  
Or.Dept:Park & Rec.  
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