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RESOLUTION NUMBER R- 304620  
DATE OF FINAL PASSAGE FEB 05 2009

A RESOLUTION APPROVING A LEASE TERMINATION AGREEMENT WITH THE YMCA OF SAN DIEGO COUNTY AT TORREY HILLS NEIGHBORHOOD PARK.

WHEREAS, The City of San Diego [CITY], as lessor, and YMCA of San Diego County [YMCA], as lessee, are parties to that certain CITY OF SAN DIEGO TORREY HILLS YMCA LEASE [Lease] filed in the Office of the San Diego City Clerk as Document No. RR-296349 on April 15, 2002, relating to the leasing of approximately four acres of Torrey Hills Neighborhood Park, in the City of San Diego, California and more particularly described in the Lease [Premises]; and

WHEREAS, the term of the Lease is 30 years, with rent payable under the Lease being One Dollar (\$1) per lease year and with an annual non-profit administration fee; and

WHEREAS, YMCA intended to construct, operate, and maintain a YMCA community center on the Premises for recreational, educational, health, social and cultural uses by YMCA members and the general public; and

WHEREAS, the Lease was based on YMCA'S representation that they would be obtaining a large donation to support development of a large recreational facility, and that donation was not received; and

WHEREAS, CITY'S Park and Recreation Department believes the interests of the Torrey Hills community will best be served by terminating the Lease and giving the community the opportunity to take a new look at a variety of recreational alternatives for the Premises; and

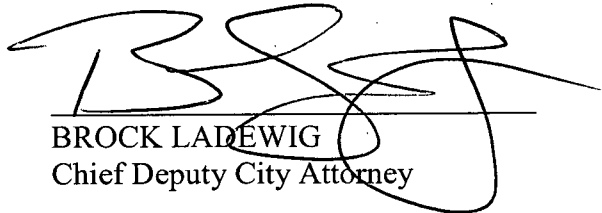
WHEREAS, CITY has requested the termination of the Lease, and, therefore,  
recommends the Council waive outstanding non-profit administration fees totaling \$5,965.72;  
NOW, THEREFORE,

BE IT RESOLVED, by the Council of The City of San Diego, the Mayor or his designee  
is authorized to execute and deliver that CITY OF SAN DIEGO LEASE TERMINATION  
AGREEMENT filed in the Office of the San Diego City Clerk as Document No. RR-  
304620; and

BE IT FURTHER RESOLVED, the Mayor or his designee is authorized to waive  
amounts owing under the Lease in the total amount of Five Thousand Nine Hundred Sixty-Five  
Dollars and Seventy-Two Cents (\$5,965.72).

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By



BROCK LADEWIG  
Chief Deputy City Attorney

BL:bas  
11/07/08  
Or.Dept: READ  
R-2009-627  
MMS #6568

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of JAN 27 2009.

ELIZABETH S. MALAND  
City Clerk

By *Mary Zeman*  
Deputy City Clerk

Approved: 2-5-09  
(date)

*J.S.*  
JERRY SANDERS, Mayor

Vetoed: \_\_\_\_\_  
(date)

\_\_\_\_\_  
JERRY SANDERS, Mayor