

RESOLUTION NUMBER R- 305094  
DATE OF FINAL PASSAGE JUL 22 2009

RESOLUTION AUTHORIZING THE ACCEPTANCE AND RECORDATION OF A GRANT DEED WHICH CONVEYS TO THE CITY OF SAN DIEGO PROPERTY USED FOR THE NEW CHILDRENS' MUSEUM PARK.

WHEREAS, on April 14, 1994, the Redevelopment Agency of the City of San Diego [Agency] entered into a Disposition Agreement, dated August 18, 1994, and as amended [Disposition Agreement] with the Children's Museum, a California nonprofit public benefit corporation [Contractor], for the construction of a new children's museum facility [Museum]; and

WHEREAS, the Museum, located on the block bounded by Union, Front, Island and Markets streets, was developed and constructed in accordance with the Disposition Agreement between the Agency and Contractor; and

WHEREAS, in addition to the construction of the Museum, the Disposition Agreement provided for the improvement of an approximate one-acre park area [Museum Park] adjacent to, and immediately south of, the Museum block; and

WHEREAS, the Disposition Agreement contemplated, upon completion of the Museum Park, that the title for the Museum Park would be transferred from the Agency to the City of San Diego [City], and that Contractor would maintain the Museum Park for a time period of no less than 30 years; and

WHEREAS, to provide for the continued maintenance of the Museum Park by Contractor, City and Contractor entered into a Landscape Maintenance Agreement, dated April

21, 2003, whereby Contractor agreed to be responsible for the maintenance of the Museum Park for a time period of no less than 30 years; and

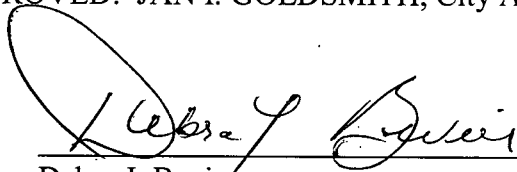
WHEREAS, on March 20, 2008, Contractor filed a Certificate of Amendment of Articles of Incorporation of the Children's Museum, changing its name from the "Children's Museum" to the "New Children's Museum"; NOW, THEREFORE,

BE IT RESOLVED, that the Mayor, or his designee, is hereby authorized to take all actions necessary to facilitate the acceptance and recordation of that certain grant deed which conveys from the Redevelopment Agency of the City of San Diego to the City of San Diego the property, and associated property rights, referred to as the Museum Park.

BE IT FURTHER RESOLVED, that pursuant to the Landscape Maintenance Agreement (dated April 21, 2003, and recorded on April 23, 2003, as Document No. 2003-0471012, with the County Recorder's Office) between the City of San Diego and the Children's Museum, a California nonprofit public benefit corporation, the Children's Museum - now renamed the New Children's Museum - has assumed responsibility for the maintenance of the Museum Park for a time period of no less than 30 years from the date of execution thereof.

APPROVED: JAN I. GOLDSMITH, City Attorney

By

  
Debra J. Bevier  
Deputy City Attorney

DJB:mm

06/17/09

Or.Dept:READ

R-2009-1199

MMS#9321

Companion: RA-2009-130, R-2009-1193, O-2009-143 and O-2009-153

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of JUL 14 2009

ELIZABETH S. MALAND  
City Clerk

By *Ava Richards*  
Deputy City Clerk

Approved: 7-22-09  
(date)

*JSL*  
JERRY SANDERS, Mayor

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

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

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