

RESOLUTION NUMBER R- 309580

DATE OF FINAL PASSAGE APR 22 2015

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO AUTHORIZING THE MAYOR, OR HIS DESIGNEE, TO EXECUTE THE LEASE SUSPENSION AND TERMINATION AGREEMENT FOR THE PROPERTY COMMONLY KNOWN AS THE MISSION BEACH ROLLER COASTER.

WHEREAS, the City of San Diego (“City”) and the San Diego Coaster Company, a California corporation (“Lessee”), entered into that certain City of San Diego Percentage Lease by and between City and San Diego Seaside Company, Inc., a California corporation, on file with the Office of the San Diego City Clerk as Document No. RR-274204, as amended or consented to by the following documents: (1) that certain letter amendment dated September 13, 1990, on file with the Office of the San Diego City Clerk as Document No. RR-274204-1; (2) that certain Operating Memorandum to Percentage Lease dated February 25, 1991, on file with the Office of the San Diego City Clerk as Document No. 769766; and (3) that certain City of San Diego Consent to Stock Purchase and Sale Agreement dated November 7, 2014, (collectively, the “Coaster Lease”), by which Lessee leased from City certain real property commonly known as the Mission Beach Roller Coaster (“Premises”); and

WHEREAS, the City Council desires to authorize that certain Amended and Restated City of San Diego Percentage Lease between the City and Symphony Asset Pool XVI, LLC, a Delaware limited liability company (“Symphony”), for the lease of the property commonly known as Belmont Park which incorporates the Premises in Section 11 thereof (the “Amended Lease”), as more fully set forth in the Amended Lease; and

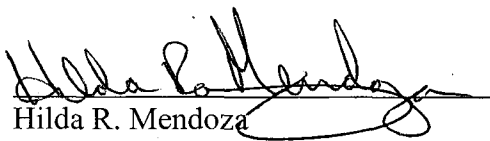
WHEREAS, City and Lessee desire to suspend and hold in abeyance, and terminate and cancel the Coaster Lease and the Lessee's tenancy thereunder effective in accordance with the terms and conditions as more fully set forth in the Lease Suspension and Termination Agreement; NOW THEREFORE,

BE IT RESOLVED, by the City Council of the City of San Diego, that the Mayor, or his designee, is authorized and directed to execute that certain Lease Suspension and Termination Agreement, as more fully set forth in Document No. RR- 309580 on file with the City Clerk.

BE IT FURTHER RESOLVED, that this resolution shall take effect and be in force only upon the final passage of Resolution R- 309579, approving the Amended and Restated City of San Diego Percentage Lease between the City and Symphony Asset Pool XVI, LLC, a Delaware limited liability company, on file as Document No. RR- 309579, but in no event earlier than the date of final passage of this resolution.

APPROVED: JAN I. GOLDSMITH, City Attorney

By


Hilda R. Mendoza
Deputy City Attorney

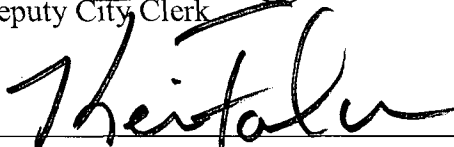
HRM:mcb
01/06/2015
03/19/15 Cor. Copy
Or.Dept: Real Estate Assets Dept.
Doc. No. 930049_2

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of APR 06 2015

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved: 4/21/15
(date)


KEVIN L. FAULCONER, Mayor

Vetoed: _____
(date)

KEVIN L. FAULCONER, Mayor

Passed by the Council of The City of San Diego on APR 06 2015, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Sherr Lightner	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lorie Zapf	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Todd Gloria	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Myrtle Cole	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mark Kersey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Cate	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Scott Sherman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
David Alvarez	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marti Emerald	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage APR 22 2015

(Please note: When a resolution is approved by the Mayor, the date of final passage is the date the approved resolution was returned to the Office of the City Clerk.)

AUTHENTICATED BY:

KEVIN L. FAULCONER
Mayor of The City of San Diego, California.

ELIZABETH S. MALAND
City Clerk of The City of San Diego, California.

(Seal)

By *Mary Hernandez*, Deputy

Office of the City Clerk, San Diego, California

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