

RESOLUTION NUMBER R- 309921

DATE OF FINAL PASSAGE AUG 07 2015

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE A LEASE TERMINATION AND SURRENDER OF TENANCY AGREEMENT AND AN ASSIGNMENT & ASSUMPTION OF LEASE AGREEMENTS, BOTH BETWEEN THE CITY OF SAN DIEGO AND THE ROUTH FAMILY TRUST.

WHEREAS, on December 1, 1985, the City of San Diego (City) entered into a thirty (30) year Flat Rate Lease (Lease) with James N. Routh, the predecessor to the current lessee, The Routh Family Trust (Lessee), for the lease of Lot 23 at Montgomery Field Airport (Premises). The Lease included an option to extend for an additional term of ten (10) years upon the mutual agreement of the Lessee and the City;

WHEREAS, the City now desires to utilize the Premises for municipal aviation-related uses, so it has not agreed to extend the Lease term. Without the additional term of ten (10) years, the Lease will expire on November 30, 2015;

WHEREAS, the Lessee now desires to surrender the Premises, terminate the Lease early, and assign the sublease affecting the Premises to the City; and

WHEREAS, because the Lease was a long term lease approved by Council, and the Lease provided that the Lessee would be responsible for all maintenance and other costs associated with the Premises until the expiration of the Lease, City Staff now seeks the City Council's authorization to: (1) accept and execute a Lease Termination and Surrender of Tenancy Agreement between the City of San Diego and Dyanne M. Routh, Trustee for the Routh Family Trust and (2) accept and execute a Assignment & Assumption of Lease Agreements

between the City of San Diego and Dyanne M. Routh, Successor to the Routh Family Trust;
NOW, THEREFORE,

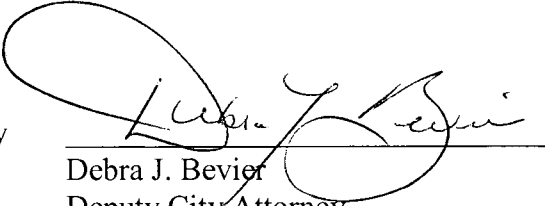
BE IT RESOLVED, by the Council of the City of San Diego as follows:

1. That the Mayor, or his designee, is authorized to execute, and take all actions necessary to administer, that certain Lease Termination and Surrender of Tenancy Agreement between the City of San Diego and the Routh Family Trust, under the terms and conditions set forth in that agreement, on file in the Office of the City Clerk as Document No. ^{PP-}309921-1

2. That the Mayor, or his designee, is authorized to execute, and take all actions necessary to administer, that certain Assignment & Assumption Agreement between the City of San Diego and the Routh Family Trust, under the terms and conditions set forth in that agreement, on file in the Office of the City Clerk as Document No. ^{PP-}309921-2

APPROVED: JAN I. GOLDSMITH, City Attorney

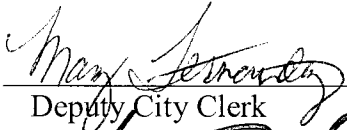
By


Debra J. Bevier
Deputy City Attorney

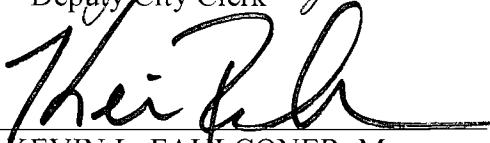
DJB:mcm
July 9, 2015
Or.Dept:Real Estate Assets Department
Doc. No.: 1059636

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of AUG 04 2015.

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved: 8/4/15
(date)


KEVIN L. FAULCONER, Mayor

Vetoed: _____
(date)

KEVIN L. FAULCONER, Mayor

Passed by the Council of The City of San Diego on AUG 4 2015, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Sherri Lightner	<input checked="" type="checkbox"/>	<input 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 checked="" type="checkbox"/>	<input 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 AUG 07 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 , Deputy

Office of the City Clerk, San Diego, California

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