

AGREEMENT

THIS AGREEMENT is made by **THE CITY OF SAN DIEGO**, a municipal corporation, herein called "City," and the **MIRA MESA RECREATION COUNCIL**, a nonprofit association, herein called "MMRC."

WHEREAS, Councilmember Brian Maienschein wishes to provide the sum of \$5,000.00 from the District Five Fiscal Year 2002 Infrastructure Improvement Fund to MMRC for the sole and exclusive purpose of constructing an Off Leash Area for dogs in Maddox Neighborhood Park, and,

WHEREAS, MMRC is ready, willing, and able to forward the sum of \$5,000.00 to the City of San Diego Matching Funds Program upon receipt of \$5,000.00 from the District Five Fiscal Year 2002 Infrastructure Improvement Fund.

NOW, THEREFORE, the City and MMRC agree as follows:

1. The City will advance the sum of \$5,000.00 to the MMRC from the District Five Fiscal Year 2002 Infrastructure Fund.
2. Within 14 calendar days of receiving the \$5,000.00 from the City, MMRC agrees to forward \$5,000.00 to the City of San Diego's Matching Funds Program to be used solely and exclusively to fund a Capital Improvement Project to construct an Off Leash Area for dogs in Maddox Neighborhood Park.
3. If MMRC fails to forward \$5,000.00 to the City of San Diego's Matching Funds Program, as provided in paragraph 2 above, MMRC must return to the City the entire \$5,000.00 (with interest) within 20 days of receiving it from the City.

IN WITNESS WHEREOF, this agreement is executed by **THE CITY OF SAN DIEGO**, acting by and through its City Manager and by MMRC acting by and through its lawfully authorized officer.

DATED this _____ day of _____, 2002

THE CITY OF SAN DIEGO

By _____
City Manager

DATED this _____ day of _____, 2002

MIRA MESA RECREATION COUNCIL

By _____
Mira Mesa Recreation Council

I HEREBY APPROVE the form and legality of the foregoing agreement this _____ day of _____, 2002.

CASEY GWINN, City Attorney

By _____
Deputy City Attorney