

AMENDMENT TO
SPECIAL USE PERMIT

Mira Mesa Park and Recreation Council

THIS AMENDMENT TO SPECIAL USE PERMIT (Amendment) is entered into by and between **THE CITY OF SAN DIEGO**, a California municipal corporation (CITY), and **Mira Mesa Park and Recreation Council, a non-profit entity** (COUNCIL), to be effective as of January 1, 2017 (the "Effective Date"), when signed by the parties and approved by the San Diego City Attorney.

RECITALS

- A. CITY granted PERMITTEE the non-exclusive right to conduct park and recreational programs in certain CITY park facilities identified in the SPECIAL USE PERMIT, effective as of January 1, 2016 (Original Permit) based on the terms and conditions set forth in the Original Permit.
- B. Pursuant to Article II of the Original Permit, the Original Permit expires at the close of business on December 31, 2016. Article II allows CITY to extend the term of the Original Permit, in the CITY's sole discretion.
- C. All defined terms used in this Amendment shall have the same meaning as set forth in the Original Permit, unless specifically stated otherwise.

AMENDMENT

CITY hereby grants this Amendment, based on the following terms and conditions:

- 1. Article II, TERM, is deleted in its entirety and replaced with the following:

Term. This PERMIT shall be in effect until the close of business on December 31, 2017, subject to extension by CITY as determined by CITY in its sole discretion.
- 2. All other terms and conditions of the Original Permit shall remain in full force and effect. Any conflict between the terms and conditions of this Amendment and those of the Original Permit shall be resolved in favor of the terms and conditions of this Amendment.
- 3. Each individual executing this Amendment on behalf of another person or legal entity represents and warrants that he/she is authorized to execute and deliver this Amendment on behalf of such person or entity in accordance with duly adopted resolutions or other authorizing actions which are necessary and proper and under such legal entity's articles, charter, bylaws, or other written rules of conduct or governing agreement, and that this Amendment is binding upon such person or entity in accordance with its terms. Upon request, each person executing this Amendment on behalf of another person or legal entity shall provide CITY with evidence, satisfactory to CITY, that such authority is valid

and that such entity is a valid, qualified corporation, limited liability company, partnership, or other unincorporated association in good standing in its home state and that such entity is qualified to do business in California.

PERMITTEE:

By: Bence D. Brown

Date: 3/23/2017

CITY:

By: Herman D. Parker
Herman D. Parker
Park and Recreation Department Director

Date: 4/14/17

ENVIRONMENTAL ANALYSIS SECTION ENVIRONMENTAL CLEARANCE:

This activity (Amendment to Special Use Permit for recreation councils) is categorically exempt from CEQA pursuant to State CEQA Guidelines Section 15301 (Existing Facilities).

By: Alyssa Muto

Name: Alyssa Muto, Deputy Director,
Development Services Department *Planning Department*
Pursuant to MOU dated April 7, 2014

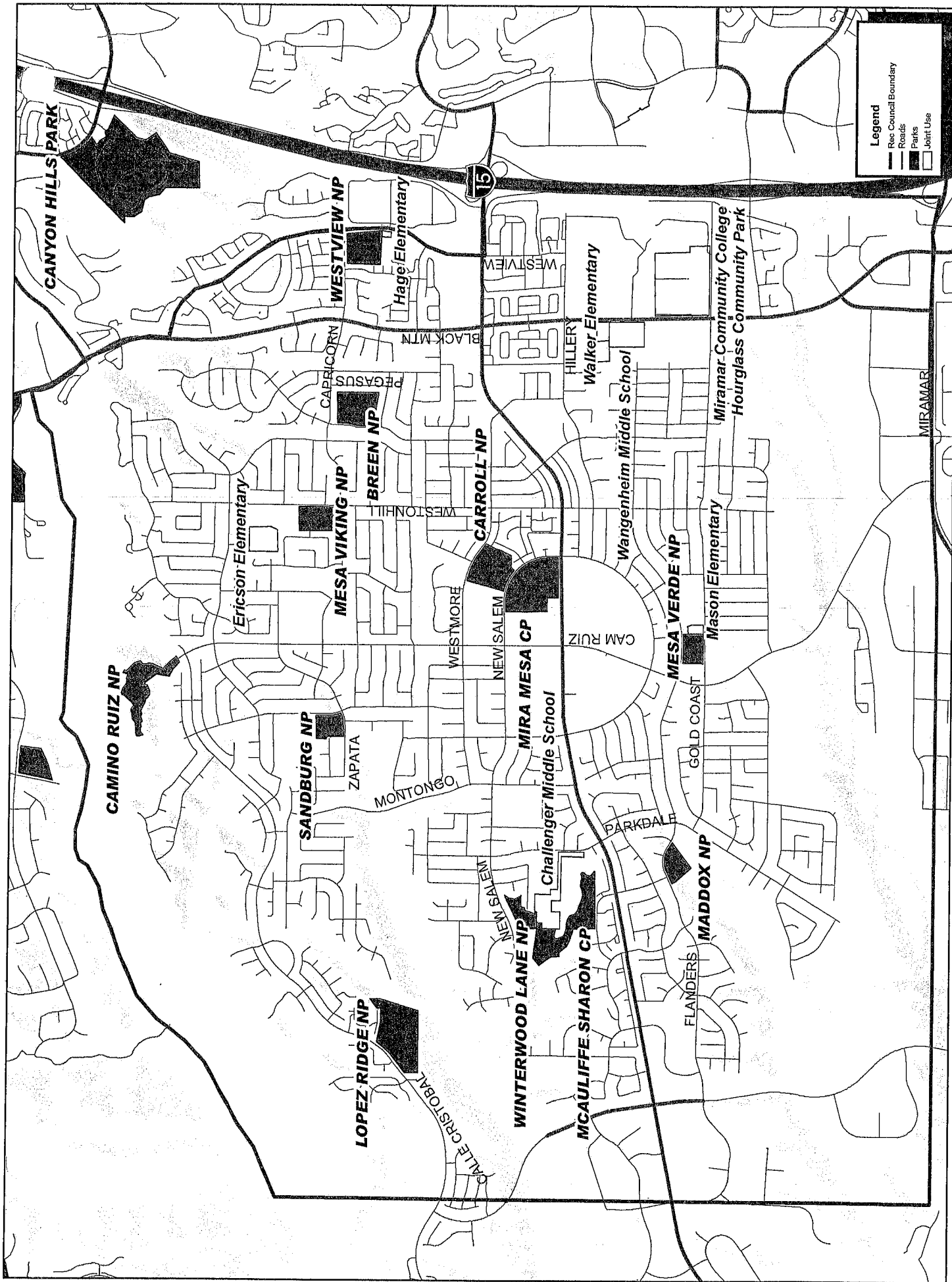
Environment Policy & Analysis

Approved as to form this 18th day

of May, 2017.

MARA W. ELLIOTT, City Attorney

By: Mara W. Elliott
Deputy City Attorney



Mira Mesa Recreation Council Boundary

This map was prepared by the Mira Mesa Recreation Council. It is not a legal document and should not be used for legal purposes. The map is for informational purposes only.