



THE CITY

SAN DIEGO

COPY

PROPERTY DEPARTMENT, MAIL STATION 51-A

SECURITY PACIFIC PLAZA, 1200 THIRD AVENUE, SUITE 1700

SAN DIEGO, CALIFORNIA 92101-4199

TELEPHONE: (619) 236-6020

FAX: (619) 696-0590

March 23, 1990

File: Leases - Daily Disposal

Daily Disposal Service
DBA: Waste Management of San Diego
8353 Miramar Place
San Diego, CA 92121

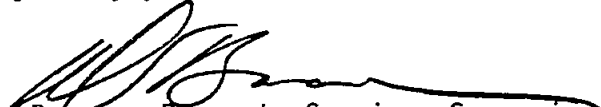
Re: Renewal - Right of Entry Permit Dated November 8, 1982, Amended
July 1, 1988

Please be advised that it is our intention to renew the above agreement, subject to City Council authorization, henceforth on a year-to-year basis, and subject to a 30-day termination provision by either party. Permit fee shall be adjusted annually upon renewal, based upon the percentage of change in the Consumer Price Index during the previous year. In no event shall the permit fee be less than that of the previous period. All other terms and conditions of the above permit will remain in full force and effect. The year-to-year extension will be effective upon the first day of the month following approval of the City Council.

When you sign this letter agreement, it shall constitute an offer from you to the City and in no event shall this offer be deemed accepted, nor shall it become effective until necessary approval by the City Council has been obtained and all rents due City under the current permit are paid in full.

Please indicate your acceptance of the foregoing terms and conditions by signing the enclosed copy of this letter, and returning it to Jim Anthony. It would be sincerely appreciated if you would sign and return the letter within the next five days so that further processing to the City Council can take place. If you should have any questions, you may contact Jim at 236-6793.

Very truly yours,


Don Barone, Property Services Supervisor
for the City Manager

DSB:JPA:cwg (43-1)

DOCUMENT NO. RR-275874

FILED JUN 11 1990
OFFICE OF THE CITY CLERK
SAN DIEGO, CALIFORNIA

ABOVE ACCEPTED AND ACKNOWLEDGED:

WASTE MANAGEMENT OF SAN DIEGO

Date: 3/30/90

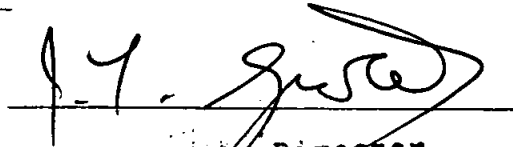
By: Handwritten Signature

Page 2

Pursuant to the order of the City Council of The City of
San Diego, California, DAILY DISPOSAL SERVICE

is employed on the terms stated in the foregoing letter.

RESOLUTION No. R- 275874
Adopted JUN 11 1990



Property Director

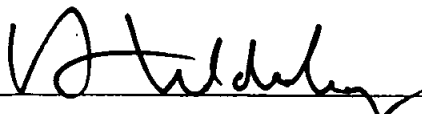
ATTEST:



Deputy City Clerk

Approved as to form and legality:

JOHN W. WITT, City Attorney

By 

Deputy City Attorney

R 275874

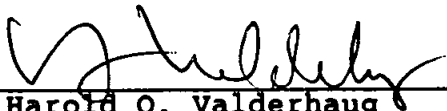
(R-90-1481)

RESOLUTION NUMBER R- 275874

ADOPTED ON JUN 11 1990

BE IT RESOLVED, by the Council of The City of San Diego, that the City Manager is hereby authorized and empowered to extend the agreement with DAILY DISPOSAL SERVICE, on a year-to-year basis and subject to termination on 30 days notice, for storage space at Kearny Mesa Road and Magnatron Boulevard, under the terms and conditions set forth in that extension to agreement on file in the office of the City Clerk as Document No. RR- 275874.

APPROVED: JOHN W. WITT, City Attorney

By 
Harold O. Valderhaug
Deputy City Attorney

HOV:ps
03/19/90
Or.Dept:Prop.
R-90-1481
Form=r.none

Passed and adopted by the Council of The City of San Diego on
June 11, 1990 by the following vote:

YEAS: Roberts, Hartley, Pratt, Bernhardt, Henderson, McCarty;
Filner, O'Connor.

NAYS: None.

NOT PRESENT: Wolfsheimer.

AUTHENTICATED BY:

MAUREEN O'CONNOR
Mayor of The City of San Diego, California

CHARLES G. ABDELNOUR
City Clerk of The City of San Diego, California

(SEAL)

By: ELLEN BOVARD, Deputy

I HEREBY CERTIFY that the above and foregoing is a full, true
and correct copy of RESOLUTION NO. R- **275874**, passed
and adopted by the Council of The City of San Diego, California
on **JUN 11 1990**.

CHARLES G. ABDELNOUR
City Clerk of The City of San Diego, California

(SEAL)

By: Ellen Bovard, Deputy

(R-85-724)

RESOLUTION NUMBER R- 261878

ADOPTED ON NOV 5 1984

BE IT RESOLVED, by the Council of The City of San Diego, that the City Manager is hereby authorized and empowered to continue, on a monthly basis, an existing two-year permit with DAILY DISPOSAL SERVICE to operate a transfer containers storage area on a portion of Lot 78 of Rancho Mission Referees Partition, under the terms and conditions set forth in that permit filed in the office of the City Clerk on November 8, 1982 as Document No. RR-257450.

APPROVED: John W. Witt, City Attorney

By


Harold O. Valderhaug
Deputy City Attorney

HOV:ps
10/22/84
Or.Dept:Prop.
Job:218189
Form=r.none

(R-83-674)

RESOLUTION NUMBER R- 257450Adopted on NOV 8 1982

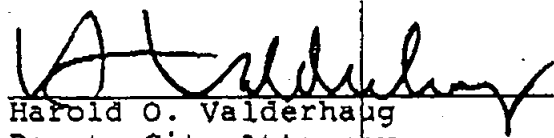
BE IT RESOLVED, by the Council of The City of San Diego, as follows:

That the City Manager is hereby authorized to execute, for and on behalf of The City of San Diego, a two-year permit with DAILY DISPOSAL SERVICE, for the storage of empty transfer containers used in refuse collection service on a portion of Lot 78 of Rancho Mission Referees Partition (approximately 2,500 square feet) located northwesterly of Kearny Mesa Road and Magnatron Boulevard in the Serra Mesa area, at a monthly rent of \$250, under the terms and conditions set forth in that permit on file in the office of the City Clerk as Document No.

RR- 257450

APPROVED: John W. Witt, City Attorney

By


Harold O. Valderhaug
Deputy City Attorney

HOV:ps
10/25/82
Or.Dept:Prop.
Job: 217254
Form=r.none

Passed and adopted by the Council of The City of San Diego on

November 8, 1982 by the following votes:

YEAS: Mitchell, Cleator, Golding, Williams, Struiksma,
Gotch, Murphy, Killea.

NAYS: None.

NOT PRESENT: Mayor Wilson.

AUTHENTICATED BY

PETE WILSON

Mayor of The City of San Diego, California

CHARLES G. ABDELNOUR

City Clerk of The City of San Diego, California

(SEAL)

By BARBARA BERRIDGE

Deputy

I HEREBY CERTIFY that the above and foregoing is a full, true and
correct copy of RESOLUTION NO. R-257450 passed and adopted
by the Council of The City of San Diego, California, on 11-8-82.

CHARLES G. ABDELNOUR

City Clerk of The City of San Diego, California

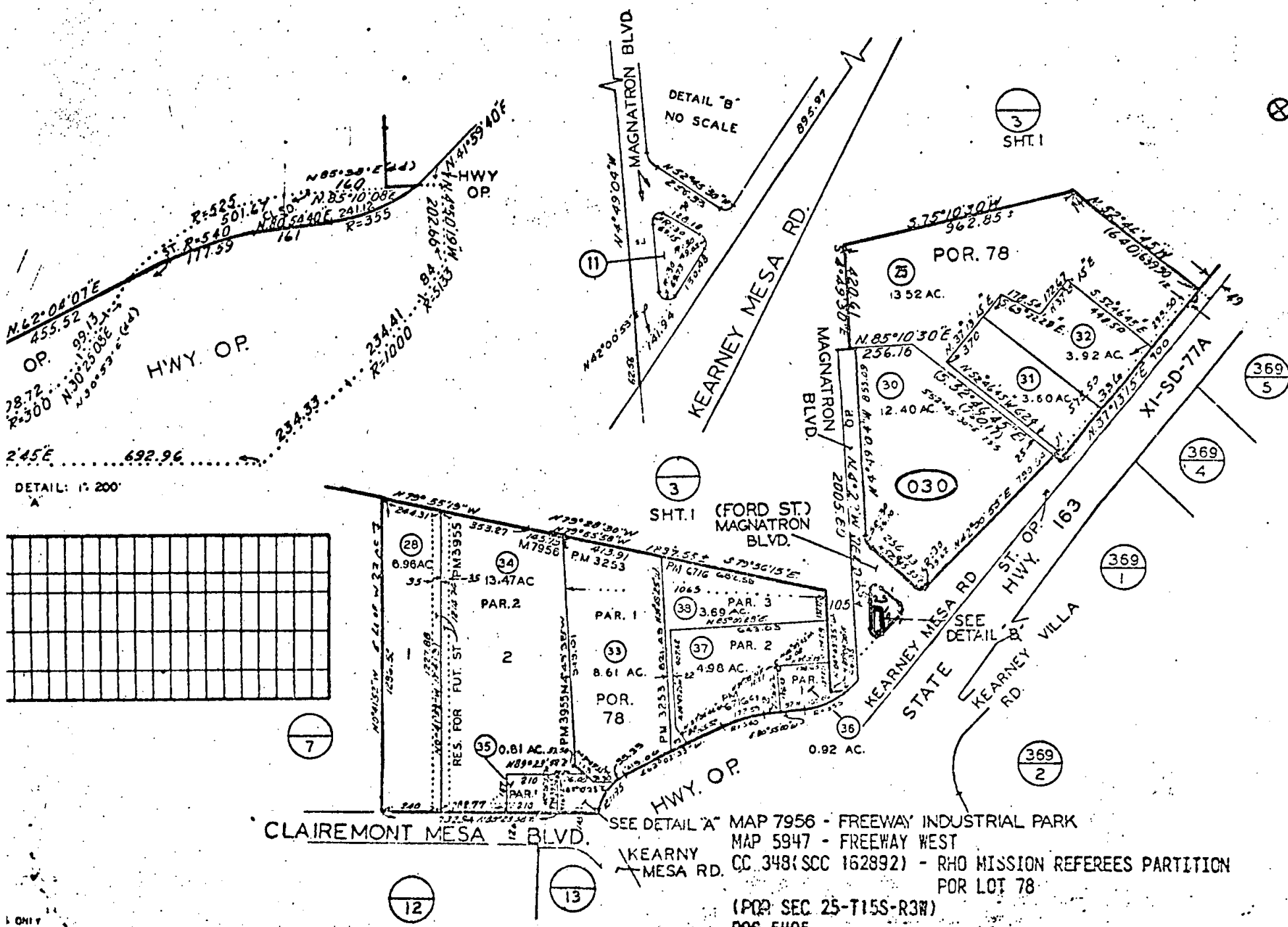
(SEAL)

By *Barbara Berridge*

Deputy

(Rev. 5/79)

bb





THE CITY OF SAN DIEGO

8/23
left message.

Spoke to
Vladimir - on 8/30/01.
will send the
comps. I request
a full appraisal.

August 20, 2001

Mr. Jake Nyberg
Waste Management of San Diego
1001 West Bradley Avenue
El Cajon, CA 92020

Dear Mr. Nyberg:

Subject: Right of Entry Permit - The City of San Diego/Waste Management of San Diego - Filed
as Document No. 275874 in the Office of the City Clerk

City Council Policy 700-10 (attached) requires the Real Estate Assets Department to obtain fair market rent for all its properties. Recent rental survey by the City determined that the rental rate for the City-owned property occupied under the above-referenced right of entry permit is below the market rate for comparable properties. The market rent for your property is \$1,600 per month. Therefore, the City will adjust your monthly permit fee from \$912.91 to \$1,600 effective November 1, 2001. Monthly permit fee will be adjusted annually upon renewal, based upon the percentage of change in the Consumer Price Index during previous year. All other terms and conditions of your right of entry permit will be in full force and effect.

If you wish to continue the occupancy at the increased rental rate, please date and sign the original copy of this letter and return it in the enclosed envelope within two weeks of its receipt.

Should you desire to terminate your occupancy, please provide the City Real Estate Assets Department with 30-day advance written notice as required by your right of entry permit. If you have any questions, you can reach me at (619) 235-5248.

Sincerely,

V. Balotsky

Vladimir Balotsky
Property Agent



Real Estate Assets

1200 Third Avenue, Suite 1700, MS 51A • San Diego, CA 92101-4199
Tel (619) 236-6020 Fax (619) 236-6706

THE ABOVE IS ACKNOWLEDGED AND ACCEPTED THIS 24th DAY OF September 2001

Alan Walsh

Name

District MGR.

Position

VBB:vbb

Enclosures

cc: County Assessor
Lease Billing Supervisor
City Auditor

rentwmanag.wpd

COPY

Parcel B

PERMIT

Permission is hereby granted to Daily Disposal Service, hereinafter referred to as "Permittee," to enter upon the City-owned property, as shown in red on the attached Exhibit "A", upon the following terms and conditions:

1. Permittee's use of the property shall be limited to the storage of transfer containers and for no other purpose.
2. Consideration for the granting of this permit shall be a permit processing fee in the amount of \$225 and the sum of \$250 per month, payable to the Office of the City Treasurer monthly in advance, beginning on the effective date hereof.
3. In the event Permittee fails to pay the applicable fees when due, the Permittee shall pay City of San Diego, in addition to the delinquent amount, a sum of money equal to FIVE PERCENT (5%) of said delinquent amount; provided, however, in the event said delinquent fee is still unpaid after fifteen days of becoming delinquent, then Permittee shall pay City of San Diego, instead of said five percent (5%), a sum of money equal to ten percent (10%) of said delinquent fee. It is the intent of this provision that the City of San Diego shall be compensated by such additional sums for loss resulting from fee delinquency, including costs to City of San Diego of servicing the delinquent account. The City Manager, at his option, may for good cause waive any such delinquency compensation required herein, upon written application of Permittee.
4. The term shall be two years, commencing upon the first day of the month following approval by the City Council and execution by the City Manager.
5. Permittee certifies that a policy of liability insurance in which "The City of San Diego" is named as an additional insured has been secured in an amount of not less than \$1 MILLION COMBINED SINGLE LIMIT LIABILITY and said policy shall be kept in force for the duration of this Permit. A certificate of said insurance shall be filed with the City Property Department upon execution of this Permit.
6. Permittee shall assume the defense of and indemnify and save the City of San Diego harmless from all claims, expenses and liability of every kind, nature and description resulting in any manner from the use or condition of the property hereinabove described and any and all operations conducted thereon.
7. All risks in connection with Permittee's use of said property and any damages to the improvements thereon, thereunder, or in the vicinity thereof shall be borne in full by Permittee.

12-1-82
12-1-89
12-1DOCUMENT NO. RR-257450

FILED NOV 8 1982

8. Permittee shall not use the premises in any manner which, in the opinion of the City Manager of the City of San Diego, creates a nuisance or disturbs the quiet enjoyment of persons in the surrounding area.
9. This Permit is cancellable by either party on 30 days' advance written notice. It is mutually agreed that the City of San Diego shall not be obligated for any loss, financial or otherwise, which may be incurred by Permittee as a result of termination of this Permit, and further that Permittee expressly waives any claim for expense or loss which Permittee might incur as a result of termination of this Permit.
10. Permittee recognizes and understands that this Permit may create a possessory interest, subject to property taxation and that the Permittee may be subject to the payment of property taxes levied on such interest. Permittee further agrees that such tax payment shall not reduce any fee paid the City of San Diego hereunder, and that such tax shall be paid by the Permittee before becoming delinquent.
11. Permittee shall, at its sole cost and expense, comply with all the requirements of all Municipal, State and Federal authorities now in effect, or which may hereinafter be in effect, which pertain to the City-owned property.
12. Upon termination or cancellation of this Permit, Permittee shall, at its sole cost, remove all materials and repair and/or restore the premises to its original condition to the satisfaction of the City Manager.
13. Permittee shall not assign any rights granted by this Permit, nor any interest therein. Any assignment by operation of law shall automatically terminate this Permit.
14. No signs shall be displayed on the premises without the prior written consent of the City Manager.
15. Maintenance of the premises shall be the sole responsibility of the Permittee during the entire term of this Permit.
16. This action is a Class Eleven (11) Project, categorically exempt from CEQA, pursuant to State EIR Guidelines Section 15111.

IN WITNESS WHEREOF, this permit is executed by the City of San Diego, acting by and through the City Manager and by Permittee, acting by and through its lawfully authorized officers.

THE CITY OF SAN DIEGO

Date

11/17/82

By

David J. Winter
ASSISTANT TO THE City Manager

The above is acknowledged and accepted this 8 day of October, 1982.

DAILY DISPOSAL SERVICE

By

David J. Winter
General Manager

By

Negative Declaration Verified
and/or Property is Exempt
from EIR:

Allen M. Jones

Allen M. Jones
EQD Deputy Director

APPROVED as to form and legality this
18 day of November, 1982.

JOHN W. WITT, City Attorney

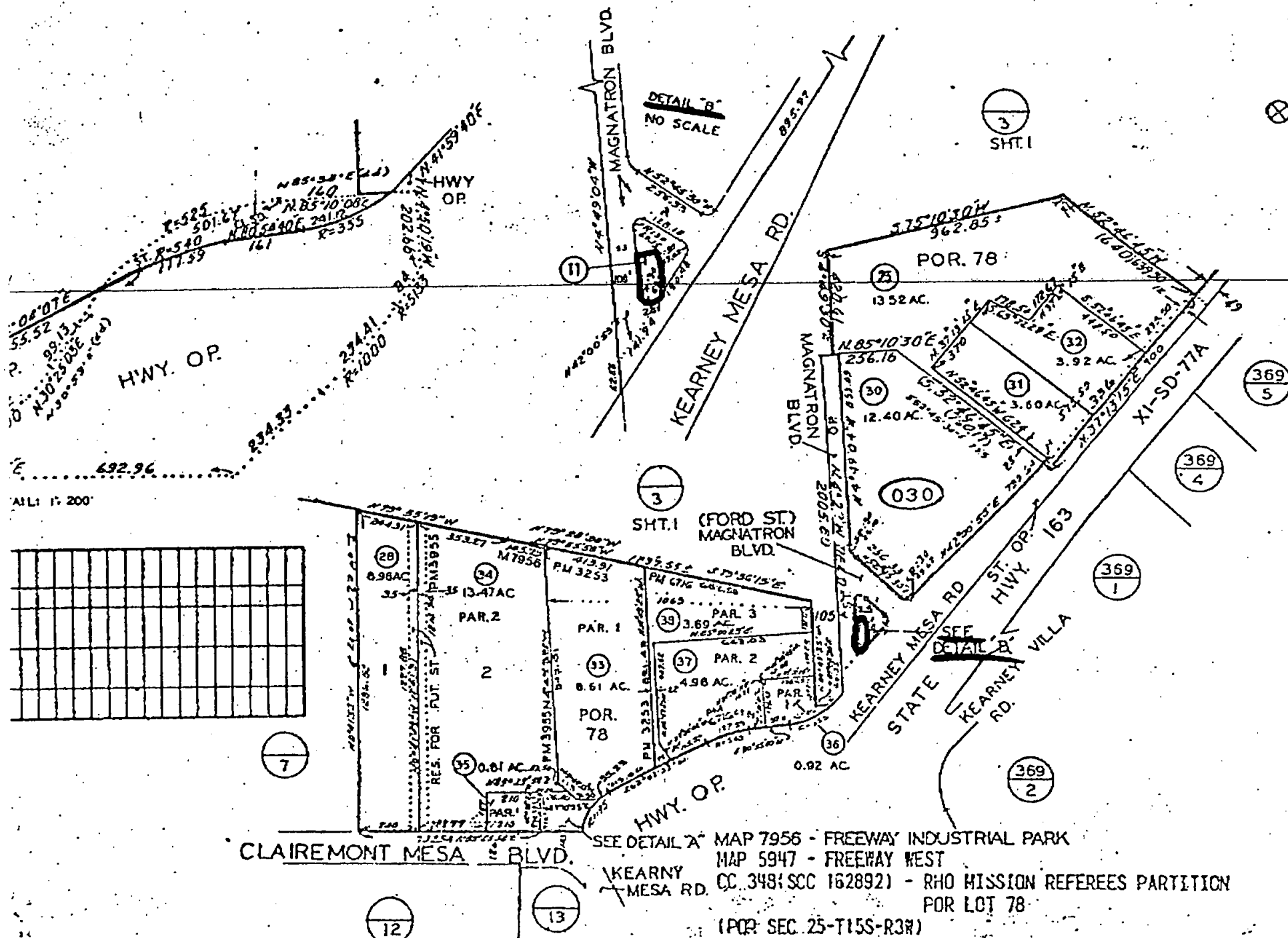
By

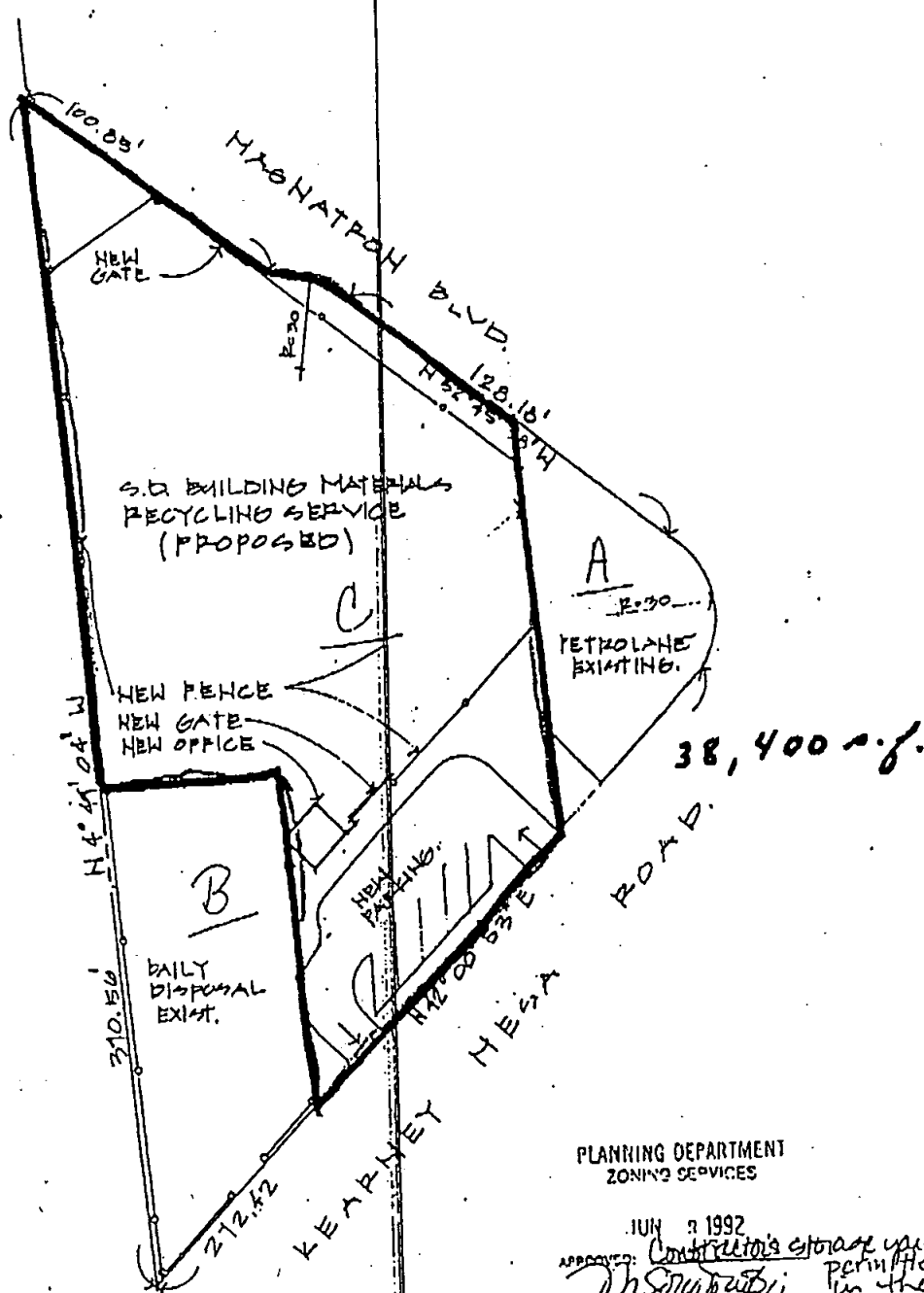
John W. Witt
Deputy City Attorney

CAF:jw(2) Disk 2
10-4-82

cc: County Assessor
City Auditor
Financial Management

356 - 03
SHT. 20F2





PLANNING DEPARTMENT
ZONING SERVICES

JULY 2 1992
APPROVED: *[Signature]*
BY: *[Signature]*
Contractor's storage yard is a permitted use in the M-1A zone.

SCALE: 1" = 40'-0"



EXHIBIT A



THE CITY OF

SAN DIEGO

CITY ADMINISTRATION BUILDING • 202 C STREET • SAN DIEGO, CALIF. 92101

June 30, 1982

File: Job 217254

OFFICE OF THE
CITY MANAGER
236-6363

CERTIFIED MAIL
P 296 375 115

Daily Disposal Service
P. O. Box 5
El Cajon, CA 92022

Attention David J. Winter, General Manager

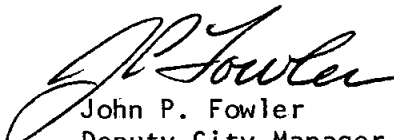
Gentlemen:

Re: Permit - Portion Lot 78, Rancho Mission

This letter is to notify you that the subject permit will be continued on a month-to-month basis pending City Council approval of a new agreement. The same terms and conditions of the permit will remain in effect during this period.

Please acknowledge your acceptance of the above by signing the original copy of this letter and returning it in the enclosed envelope. If you have any questions, please call Cheryl Ferraro, Property Agent, at 236-7073.

Very truly yours,


John P. Fowler
Deputy City Manager

JLS:CAF:ed

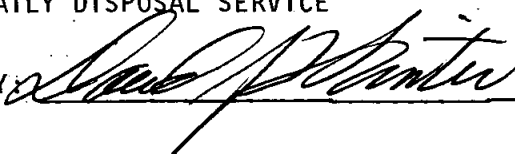
Enclosure

cc: Roy Quon - Auditor
Account Clerk

THE ABOVE IS ACKNOWLEDGED AND ACCEPTED THIS 6TH DAY OF JULY, 1982.

DAILY DISPOSAL SERVICE

BY:





THE CITY OF

SAN DIEGO

CITY ADMINISTRATION BUILDING • 202 C STREET • SAN DIEGO, CALIF. 92101

June 23, 1980

legal

OFFICE OF THE
CITY MANAGER
236-6363

File: Property File RBOF and
Central File - Permits
on City-owned Land

Mr. Dave Winter
c/o Daily Disposal Service
P.O. Box 5
El Cajon, CA 92022

Re: Right of Entry Permit, Portion Lot 78, Rancho Mission - (2,500 sq.ft.
Parcel at Magnatron Boulevard and Kearney Mesa Road),

Permission is hereby granted Daily Disposal Service to enter upon the
above City-owned property, as shown in red on the attached exhibit, upon
the following terms and conditions:

1. Permittee's use of the above property shall be limited to the storage of transfer containers and for no other purpose.
2. Consideration for the granting of this permit shall be the sum of \$200 per month, payable monthly in advance.
3. This Permit shall commence upon written acceptance hereof by Permittee. This Permit shall be month to month, cancellable by either party on 30 days' advance written notice. In no event shall this permit exceed a total period of two years.

4. Permittee certifies that a policy of liability insurance in which "The City of San Diego" is named as an additional insured has been secured in an amount of not less than ONE MILLION Combined Single Limit Liability and said policy shall be kept in force for the duration of this Permit. A certificate of said insurance shall be filed with the City Property Department upon execution of this Permit.
5. Permittee shall assume the defense of and indemnify and save the City of San Diego harmless from all claims, expenses and liability of every kind, nature and description, resulting in any manner from the use or condition of the property hereinabove described and any and all operations conducted thereon.
6. All risks in connection with Permittee's use of said property and any damages to the improvements thereon, thereunder, or in the vicinity thereof shall be borne in full by Permittee.
7. Permittee shall not use the premises in any manner which in the opinion of the City Manager of the City of San Diego, creates a nuisance or disturbs the quiet enjoyment of persons in the surrounding area.
8. This Permit is revocable at any time by the City. It is mutually agreed that the City shall not be obligated for any loss,

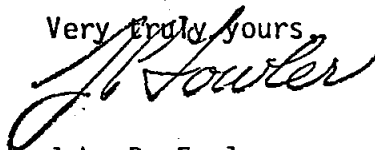
financial or otherwise, which may be incurred by Permittee, as a result of termination of this Permit, and further that Permittee expressly waives any claim for expense or loss which Permittee might incur as a result of termination of this Permit.

9. Permittee recognizes and understands that this permit may create a possessory interest subject to property taxation and that the Permittee may be subject to the payment of property taxes levied on such interest. Permittee further agrees that such tax payment shall not reduce any fee paid the City hereunder and that any such tax shall be paid by the Permittee before becoming delinquent.
10. Permittee shall, at its sole cost and expense, comply with all the requirements of all Municipal, State and Federal authorities now in effect or which may hereinafter be in effect, which pertain to the above-referenced City-owned property.
11. Upon revocation or other termination of this permit, Permittee shall at Permittee's sole cost, restore said premises to its original condition to the satisfaction of the City Manager.
12. Maintenance of the premises shall be the sole responsibility of the Permittee during the entire term of this Permit.

Please acknowledge your agreement to the foregoing terms and conditions on the enclosed copy of this letter and return it to this office, together with your check made payable to the City Treasurer in the amount of \$200 within ten (10) days from receipt hereof.

If you should require additional information or have any questions, you may call Jane Humes of the City Property Department at 236-5774.

Very truly yours,



John P. Fowler
Deputy City Manager

SPOTTS/JEH/tu

Enclosures

THE ABOVE IS ACKNOWLEDGED TO AND ACCEPTED

THIS 24th DAY OF June 1980.

BY Carol P. Hunter