

FIRST AMENDMENT TO USE AND OCCUPANCY PERMIT
CITY OF SAN DIEGO AND
SAN DIEGO COUNTY AIR POLLUTION CONTROL DISTRICT

THIS FIRST AMENDMENT TO USE AND OCCUPANCY PERMIT ("Permit") is made by and between SAN DIEGO COUNTY AIR POLLUTION CONTROL DISTRICT, a county air pollution control district continued in existence pursuant to Health and Safety Code Section 40000 et seq. , hereinafter called "PERMITTEE", and THE CITY OF SAN DIEGO, a California municipal corporation, hereinafter called "CITY", to be effective as of the date of execution by CITY and when approved by the San Diego City Attorney, as follows:

RECITALS

A. WHEREAS, CITY and PERMITTEE entered into a Permit on January 6, 2014, relating to CITY-owned real property located at 11403 Rancho Carmel Drive, San Diego, California 92128.

B. WHEREAS, CITY and PERMITTEE desire to further amend said Permit;

NOW, THEREFORE, CITY and PERMITTEE hereby agree:

1. Additional terms to be added to Section 1.3 "**Permit Use**" with:

PERMITTEE shall have the right to install temporary underground electrical conduit being approximately 75-feet in length and at a depth of approximately 3 feet beginning at the existing San Diego Gas & Electric electrical transformer to the proposed site of the NO₂ Monitoring Station as detailed on Exhibit "A" attached and made a part hereof. All work shall be at PERMITTEE's sole cost and expense, to CITY's reasonable satisfaction. Proposed trenching for electrical underground conduit to avoid existing trees and shrubs.

2. All other terms and conditions of the Permit shall remain in full force and effect.

[The remainder of this page intentionally left blank.]

IN WITNESS WHEREOF, this First Amendment is executed to be effective as of the Effective Date.

SAN DIEGO COUNTY AIR POLLUTION
CONTROL DISTRICT, a county air pollution
control district continued in existence pursuant to
Health and Safety Code Section 40000 et seq.

Date: 9-3-2014

By: Robert J. Kard
Name: Robert J. Kard
Title: Air Pollution Control Officer

THE CITY OF SAN DIEGO, a California
municipal corporation

Date: 9/4/14

By: Kristin Geitz
Name: Kristin Geitz
Title: Interim Director, Real Estate Assets

APPROVED AS TO FORM AND LEGALITY this 10th of September, 2014.

JAN I. GOLDSMITH, City Attorney

By: Jeremy Fonseca
Name: Jeremy Fonseca
Title: Deputy City Attorney

Environmental Analysis Section Environmental Clearance:

*This activity is categorically exempt from CEQA pursuant to State CEQA Guidelines,
Section(s) 15301 & 15304(f).*

Date: 9/8/14

By: Megan Hennerman
Name: Megan Hennerman
Title: Senior Planner

Exhibit A: Conduit Location

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APPROVED AS TO FORM AND LEGALITY
COUNTY COUNSEL
BY: Paula Smith
SENIOR DEPUTY

