

ORIGINAL

DOCUMENT NO. RR-258568-7

FILED MAY 31 1983

OFFICE OF THE CITY CLERK
SAN DIEGO, CALIFORNIA

ORIGINAL

Prior Expired Agreement

FIRST AMENDMENT TO AGREEMENT

THIS FIRST AMENDMENT TO AGREEMENT is made by THE CITY OF SAN DIEGO, a municipal corporation, herein called "City", and SAN DIEGO AERO-SPACE MUSEUM and THE INTERNATIONAL AEROSPACE HALL OF FAME, a California nonprofit public benefit corporation, hereinafter called "Partners".

RECITALS

A. On December 3, 1979, Partners and City entered into an agreement for the management and operation of an aerospace oriented museum in Balboa Park. The original Agreement is on file in the Office of the City Clerk as Document No. RR250735.

B. City and Partners mutually desire to amend said agreement.

NOW THEREFORE, in consideration of the recitals and the mutual obligations of the parties as herein expressed, City and Partners agree as follow:

1. Amend Paragraph 2, to read as follows:

2. Partners shall occupy and manage the Building for the purpose of displaying aviation and space historical exhibits and for no other purpose. In addition, Partners may, subject to the approval of the City Manager, operate a gift shop in the Building and sell to the general public non-alcoholic beverages, light refreshments, packaged food items and articles primarily related to the

subjects on display. All profits realized by said gift shop shall be used only for the above mentioned purpose.

2. Amend Paragraph 4, to read as follows:

4. Partners shall have the right to charge reasonable admission fees, however at least one day per month shall be designated as a day when no fees for admission will be charged.

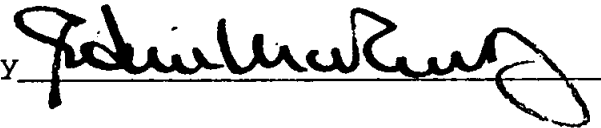
IN WITNESS WHEREOF, this First Amendment to Agreement is executed by the City, acting by and through its City Manager, pursuant to Resolution No. R- 258568 authorizing such execution and by Partners.

Dated this 31ST day of MAY, 1983.

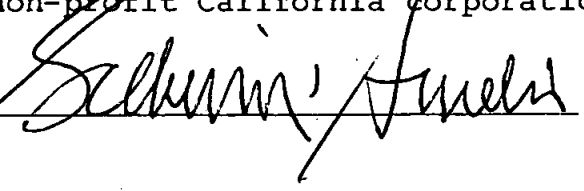
THE CITY OF SAN DIEGO,
a municipal corporation

By 
ASSISTANT TO THE City Manager

SAN DIEGO AERO-SPACE MUSEUM, INC.
a non-profit California corporation

By 

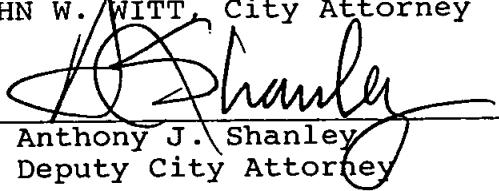
THE INTERNATIONAL AEROSPACE HALL OF FAME
a non-profit California corporation

By 

I HEREBY APPROVE the form and legality of the foregoing
agreement this 6th day of July, 1983.

JOHN W. WITT, City Attorney

By


Anthony J. Shanley
Deputy City Attorney

AJS:js
4/29/83

RESOLUTION NUMBER R- 258568

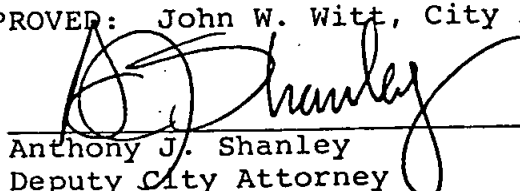
Adopted on MAY 31 1983

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

That the City Manager be and he is hereby authorized and empowered to execute, for and on behalf of said City, Amendments to Agreements with SAN DIEGO AERO-SPACE MUSEUM and THE INTERNATIONAL AEROSPACE HALL OF FAME, SAN DIEGO MUSEUM ASSOCIATION, FINE ARTS SOCIETY OF SAN DIEGO, SAN DIEGO HISTORICAL SOCIETY, SAN DIEGO HISTORICAL SOCIETY (SERRA MUSUEM), SAN DIEGO HALL OF CHAMPIONS, INC., SAN DIEGO SOCIETY OF NATURAL HISTORY, CENTER FOR THE PHOTOGRAPHIC ARTS, SAN DIEGO MODEL RAILROAD MUSEUM, BALBOA ART CONSERVATION CENTER, for the management and operation of museums and galleries in Balboa Park, under the terms and conditions set forth in the Amendments to Agreements on file in the office of the City Clerk as Documents No. RR- 258568-1; RR- 258568-2; RR- 258568-3; RR- 258568-4; RR- 258568-5; RR- 258568-6; RR- 258568-7; RR- 258568-8; RR- 258568-9; RR- 258568-10; respectively.

APPROVED: John W. Witt, City Attorney

By


Anthony J. Shanley
Deputy City Attorney

AJS:js:263.1

5/3/83

Or.Dept:Pk. & Rec.

Form=r.none

Passed and adopted by the Council of The City of San Diego
on MAY 31 1983, by the following vote:

YEAS: Mitchell, McColl, Jones, Struiksma, Gotch, Murphy, Martinez,
Hedgecock.

NAYS: None.

NOT PRESENT: Cleator.

AUTHENTICATED BY:

ROGER HEDGECK
Mayor of The City of San Diego, California.

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

(SEAL)

By JUNE A. BLACKNELL, Deputy.

I HEREBY CERTIFY that the above and foregoing is a full,
true and correct copy of RESOLUTION NO. R-258568
passed and adopted by the Council of The City of San Diego,
California, on MAY 31 1983.

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

(SEAL)

By June A. Blacknell, Deputy.

(Rev. 8/79)
lbc

00165