

ORIGINAL

FIRST AMENDMENT TO LEASE AGREEMENT

THIS FIRST AMENDMENT TO AGREEMENT is made by the CITY OF SAN DIEGO, a municipal corporation, herein called "City" and THE JAPANESE FRIENDSHIP GARDEN SOCIETY OF SAN DIEGO herein called "Society".

RECITALS

A. On April 2, 1984, City and Society entered into a lease agreement for development, operation and maintenance of a Japanese Garden in Balboa Park, the original of which is on file in the office of the City Clerk as Document No. RR-260395.

B. City and Society mutually desire to amend said lease agreement as necessary to modify the construction bonding requirements.

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

1. Section IV.B.2 be amended in its entirety to read as follows:

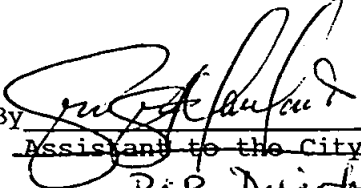
2. Bond Requirement. Prior to commencement of any work on the premises, Society shall furnish City with a bond by a responsible surety company licensed to do business in California, in a form and in an amount satisfactory to City.

2. This first amendment shall affect only the section referred to above. All other terms and conditions of the lease agreement remain in full force and effect.

RR- 274352
DOCUMENT NO. _____
FILED SEP 11 1989
OFFICE OF THE CITY CLERK
SAN DIEGO, CALIFORNIA

IN WITNESS WHEREOF, this First Amendment to lease agreement is executed by the City of San Diego, acting by and through its City Manager pursuant to Resolution No. ^{R-}274352, authorizing such execution and by Society this 11th day of Sept., 1989.

THE CITY OF SAN DIEGO

By 
~~Assistant to the City Manager~~
P&R Director

JAPANESE FRIENDSHIP GARDEN SOCIETY
OF SAN DIEGO

By 
Larry Marshall
President

I HEREBY APPROVE the form and legality of the foregoing Agreement this 23 day of October, 1989

JOHN W. WITT, City Attorney

By 
Rudolf Hradecky
Deputy City Attorney

MAAG-2

R- 274352

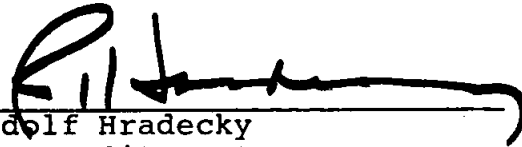
RESOLUTION NUMBER R- 274352

ADOPTED ON SEP 11 1989

BE IT RESOLVED, by the Council of The City of San Diego, that the City Manager be and he is hereby authorized and empowered to execute, for and on behalf of said City a First Amendment to Lease Agreement with the JAPANESE FRIENDSHIP GARDEN SOCIETY OF SAN DIEGO, in accordance with the terms and conditions as set forth in said First Amendment to Lease Agreement on file in the office of the City Clerk as Document No. RR- 274352.

APPROVED: JOHN W. WITT, City Attorney

By


Rudolf Hradecky
Deputy City Attorney

RH:jrl
07/31/89
10/10/89 COR.COPY
Or.Dept:Pk.&Rec.
Aud.Cert:
R-90-245
Form=r.none

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

SEP 11 1989 by the following vote:

YEAS: Wolfsheimer, Roberts, McColl, Struiksma, Henderson, McCarty, Filner,
Mayor O'Connor.

NAYS: None.

NOT PRESENT: Pratt.

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: MAYDELL L. PONTECORVO, Deputy

I HEREBY CERTIFY that the above and foregoing is a full, true
and correct copy of RESOLUTION NO. R- 274352, passed
and adopted by the Council of The City of San Diego, California
on SEP 11 1989.

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

(SEAL)

By: *Maydell L. Pontecorvo*, Deputy