



THE CITY OF SAN DIEGO

February 2, 2009

Linn Walker
Executive Director
Youth Tennis San Diego Foundation
4490 West Point Loma Blvd
San Diego, CA 92107

Dear Ms. Walker:

Subject: Memorandum of Understanding to the Lease Agreement – The City of San Diego /
Youth Tennis San Diego – Document No. 280520 in the Office of the City Clerk

Enclosed is the fully executed original of the Memorandum of Understanding to your lease agreement with the City of San Diego. Please make sure that prior to commencement of construction a faithful performance bond in the amount of 100 % of the estimated construction cost of work to be performed is deposited with the City Real Estate Assets Department.

Should you have any questions, I can be reached at (619) 235-5248.

Sincerely,

Vladimir Balotsky
Property Agent

Lease File: Youth Tennis San Diego



Real Estate Assets

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

**MEMORANDUM OF UNDERSTANDING
BETWEEN THE CITY OF SAN DIEGO AND YOUTH TENNIS OF SAN DIEGO**

A In accordance with the provisions of Section 6.4, Improvements/Alteration, of the lease agreement ("Lease") between the City of San Diego ("City") and Youth Tennis Center of San Diego ("Lessee"), filed as Document No. RR-280520 with the City Clerk, the City hereby approves, subject to the terms herein below, the following improvements ("Improvements") of the Lessee:

- 1 The 4,400-square foot, one-story education structure that will include three classrooms for young children age of 3 to 5 with central art area, commensurate toilet room, break rooms, lounge, entry, office, storage, and support spaces and homework assistance/computer study room for older children age of 4 to 16;
- 2 Two paddle (mini) tennis courts with lights. Lights will be 18' tall, consistent with all existing lights on other courts throughout the leased property;
- 3 Exterior playground for the children, with hard surface play area, soft surface play area, shaded lunch shelter, play structure;
- 4 Removal 23 existing parking spaces;
- 5 Construction of 26 new parking spaces;

The proposed Improvements are more particularly described in the attached Exhibit "A" and subject to the Conditional Use Permit No. 392576 of the City of San Diego and the Coastal Development Permit No. 6-06-154. Size, dimension, quantity, type, and location of Improvements on file with the Development Services Department of the City. Upon approval by the City, Improvements are incorporated into Section 9.6 General Development Plan of the Lease.

- B Approval of the Improvements by the City does not authorize the Lessee to violate the terms of the Lease or any Federal, State, County or City laws, ordinances, regulations or policies. Any activity by the Lessee deemed by the State of California to require a Child Care License shall be prohibited.
- C Lessee agrees to construct and operate the Improvements in accordance with the schedule shown in the Exhibit "B" attached hereto. Lessee shall deposit with City, prior to commencement of construction, a faithful performance bond in the amount of 100 percent (100%) of the estimated construction cost of work to be performed.
- D The City Manager has entered into this Memorandum of Understanding under his authority to authorize changes to the Development Plan as set forth in Section 6.12 Development Plan of the Lease.

- E San Diego's Strong Mayor Form of Governance. The Lease shall be amended by adding the following section:

All references to "City Manager" in the Lease and all subsequent amendments to the Lease shall be deemed to refer to "Mayor." This section became effective on January 1, 2006, and shall remain in effect for the duration the City operates under the mayor-council (commonly referred to as "strong mayor") form of governance pursuant to Article XV of the City of San Diego City Charter.

Except as provided herein, this Memorandum of Understanding shall not be deemed or construed to modify, waive, impair, or affect any of the terms or conditions of the Lease.

- F The terms and conditions of this Memorandum of Understanding shall be construed in accordance with the laws of the State of California.
- G This Memorandum of Understanding constitutes the entire statement of the agreement of the parties pertaining to the City's authorization of the Improvement, and is binding on and inures to the benefit of the parties' respective heirs, representatives, successors and assigns. No party has been induced to enter into this Memorandum of Understanding by, nor is any party relying on, any representation or warranty outside those expressly set forth in this Memorandum of Understanding. No modification of the terms or conditions of this Memorandum of Understanding shall be effective unless made in a writing that expressly states that it modifies this Memorandum of Understanding, and signed by the parties hereto.
- H Each individual executing this Memorandum of Understanding on behalf of another person or legal entity represents and warrants that he/she is authorized to execute and deliver this Memorandum of Understanding 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 Memorandum of Understanding is binding upon such person or entity in accordance with its terms. Each person executing this Memorandum of Understanding on behalf of another person or legal entity shall provide CITY with evidence, satisfactory to the City Manager, 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.
- I The Memorandum of Understanding is to be effective upon execution by City (the "Effective Date") and approval by the San Diego City Attorney.

IN WITNESS WHEREOF, the parties hereto execute this Memorandum of Understanding to be effective as of the Effective Date.

THE CITY OF SAN DIEGO,
a California municipal corporation

Date: 1/27/09

By: [Signature]
Title: DIRECTOR:
REAL ESTATE ASSETS DEPT.

YOUTH TENNIS CENTER OF SAN DIEGO,
a California corporation

Date: 1-23-09

By: [Signature]
Title: Executive Director
Youth Tennis San Diego Foundation

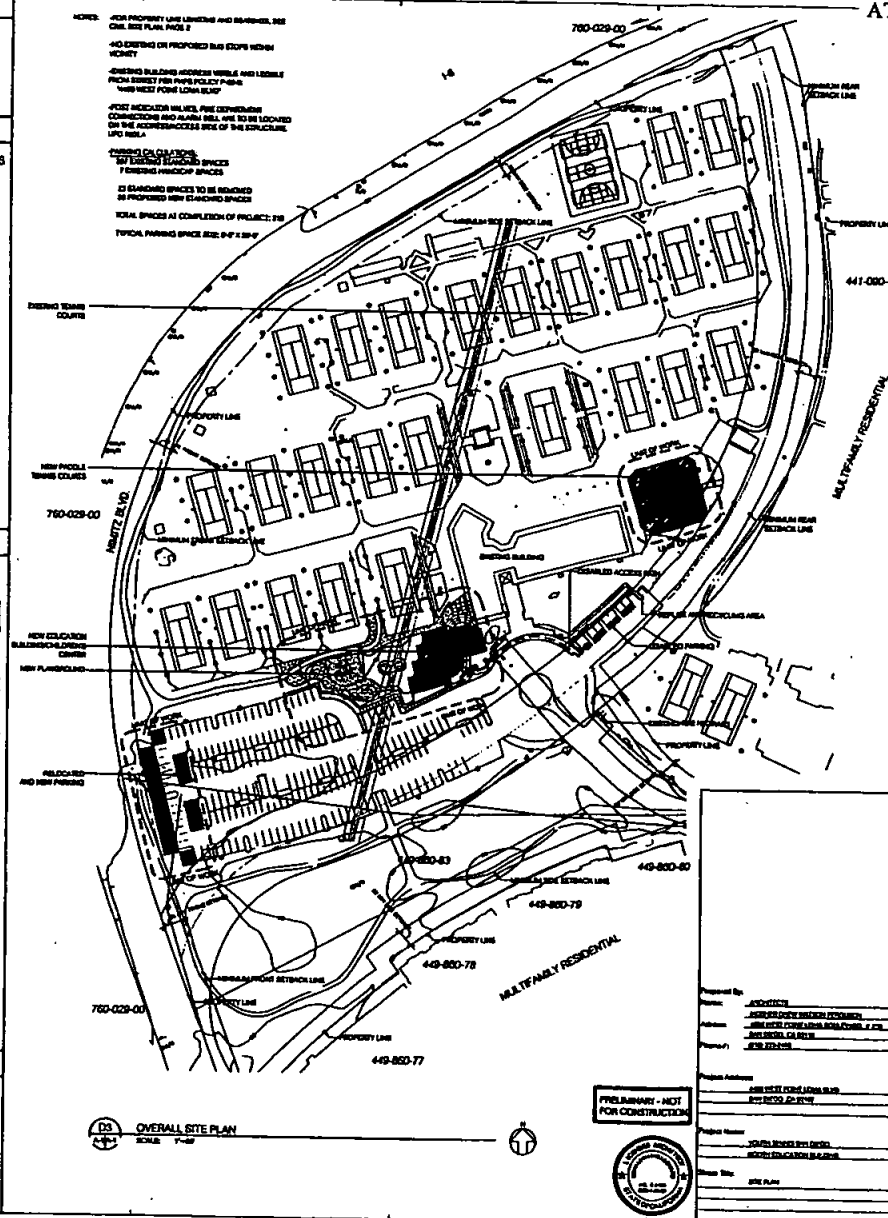
APPROVED AS TO FORM AND LEGALITY
THIS DAY OF 1-28-09, 2009.

JAN I. GOLDSMITH, San Diego City Attorney

Date: 1-28-09

By: [Signature]
Todd Bradley, Deputy City Attorney

PROJECT TEAM:		
ARCHITECT: ARCHITECTS MDWF 4208 WEST POINT LOMA BLVD, SUITE 200 SAN DIEGO, CA 92110 T (619) 223-2400 F (619) 223-3017	LANDSCAPE ARCHITECT: KTJAA 3916 NORMAL STREET SAN DIEGO, CA 92103 T (619) 294-4477 F (619) 294-8905	CIVIL ENGINEER: RICK ENGINEERING 5620 FRANKS ROAD SAN DIEGO, CA 92110 T (619) 291-0707 F (619) 291-4184
PROJECT DESCRIPTION:		
THIS PROJECT IS CONSISTS OF MODIFICATIONS AND ADDITIONS TO THE EXISTING GEORGE E BARNES FAMILY JUNIOR TENNIS CENTER AT 4490 WEST POINT LOMA BLVD. THE EXISTING BARNES FAMILY TENNIS CENTER INCLUDES 25 TENNIS COURTS, BASKETBALL, VOLLEYBALL PRACTICE COURTS, 11,516 SQ. FT. BUILDING, STORAGE BUILDINGS AND PARKING. THE PROJECT ADDITIONS INCLUDE: - A BUILDING FOR EDUCATION. THE 4400 SF EDUCATION BUILDING IS A NEW FREE STANDING, FIRE SPRINKLERED STRUCTURE THAT WILL INCLUDE: 3 CLASSROOMS FOR YOUNG CHILDREN WITH CENTRAL ART AREA, COMMENSURATE TOILETS ROOMS, BREAK ROOM/ LOUNGE, ENTRY, OFFICE, STORAGE AND SUPPORT SPACES, AND A HOMEWORK ASSISTANCE/ COMPUTER STUDY ROOM FOR OLDER CHILDREN. THIS NEW FACILITY WILL HOUSE THE EXTENSION OF AN EXISTING CHILDREN'S AFTER SCHOOL PROGRAM. IT IS ANTICIPATED 30 ADDITIONAL CHILDREN WILL BE ENROLLED IN THIS PROGRAM, WITH ONE ADDITIONAL STAFF MEMBER. THE MAJORITY OF CHILDREN WILL BE BUSSED IN FROM SURROUNDING AREAS, SO INCREASED TRAFFIC DISTURBANCE IS NOT EXPECTED TO BE A PROBLEM. - EXTERIOR PLAYGROUND FOR THE CHILDREN, WITH HARD SURFACE PLAY AREA, SOFT SURFACE PLAY AREA, SHADED LUNCH SHELTER, PLAY STRUCTURE. 2 PADDLE TENNIS (PAP) COURTS WITH LIGHTS. LIGHTS WILL BE 18' TALL, CONSISTENT WITH ALL EXISTING LIGHTS ON OTHER COURTS THROUGHOUT THE FACILITY. 23 PARKING SPACES WILL BE REMOVED AND 28 NEW PARKING SPACES WILL BE ADDED. - RELATED OR REQUIRED SITE DEVELOPMENT. - BUILDING AND PADDLE TENNIS COURTS ARE LOCATED ADJACENT TO THE EXISTING BUILDINGS, AWAY FROM THE NEIGHBORS AND WITHIN THE FENCED PERIMETER. THE EXISTING TENNIS CENTER IS REGULATED BY A CONDITIONAL USE PERMIT # 88-1259 FROM THE CITY OF SAN DIEGO AND HAS A COASTAL DEVELOPMENT PERMIT # 88-01-308.		
PROJECT INFORMATION:		VICINITY MAP:
ADDRESS: YOUTH TENNIS SAN DIEGO 4490 WEST POINT LOMA BLVD SAN DIEGO, CA 92107 LEGAL DESCRIPTION: A PORTION OF LOT 1, LOMA ALTA NO. 2, MAP 1082, PORTION OF PUEBLO LOT 212 & PARCEL 1, MAP NO. 12389, ALSO PARCEL 2 OF PM 12389 IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA. ASSESSOR'S PARCEL NUMBER: 441-080-43 & 449-850-43 TYPE OF CONSTRUCTION: TYPE IV NR OCCUPANCY CLASSIFICATION: E-1 NEW (A2.1, B, M, S-1 EXISTING) ZONING: AR-1-1, RM-2-4 OVERLAY ZONES: COASTAL OVERLAY: CST-PMT 0-17087 NS COASTAL OVERLAY: N-APP-2 0-17087 NS PARKING IMPACT OVERLAY: PMOZ 0-18451 NS AIRPORT APPROACH OVERLAY: AMOZ 350-400 0-18556 NS AIRPORT APPROACH OVERLAY: AMOZ 400-450 0-18556 NS AIRPORT APPROACH OVERLAY: AMOZ 450-500 0-18556 NS COASTAL HEIGHT LIMITATION OVERLAY: CHLOZ 0-10980 NS FEMA FLOOD DESIGNATION: ZONE X, CODE 161 GROSS SITE AREA: 550,000 sq. ft. APPROX GROSS FLOOR AREA: 4400 sq. ft. (11,516 EXISTING) FLOOR AREA RATIO: .009 NUMBER OF STORIES: ONE, NEW AND EXISTING YEAR OF ORIGINAL CONSTRUCTION: 1992, 1995		PROJECT LOCATION SCALE: 1" = 100'
REQUIRED APPROVALS:		
AMENDMENT TO CONDITIONAL USE PERMIT # 88-1259 AND COASTAL DEVELOPMENT PERMIT # 88-01-308 (CITY AND STATE COASTAL)		



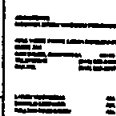
ATTACHMENT 6



YOUTH TENNIS SAN DIEGO
BOOTH CHILDREN'S CENTER
SAN DIEGO, CA

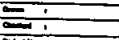
Project No. 1 0002.00 (0001)

Prepared By:	ARCHITECTS MDWF	Reviewed By:	ARCHITECTS MDWF
Drawn By:	ARCHITECTS MDWF	Reviewed By:	ARCHITECTS MDWF
Checked By:	ARCHITECTS MDWF	Reviewed By:	ARCHITECTS MDWF
Project Manager:	ARCHITECTS MDWF	Reviewed By:	ARCHITECTS MDWF
Project Engineer:	ARCHITECTS MDWF	Reviewed By:	ARCHITECTS MDWF
Project Architect:	ARCHITECTS MDWF	Reviewed By:	ARCHITECTS MDWF
Project Designer:	ARCHITECTS MDWF	Reviewed By:	ARCHITECTS MDWF
Project Draftsman:	ARCHITECTS MDWF	Reviewed By:	ARCHITECTS MDWF
Project Detailer:	ARCHITECTS MDWF	Reviewed By:	ARCHITECTS MDWF
Project Finisher:	ARCHITECTS MDWF	Reviewed By:	ARCHITECTS MDWF
Project Checker:	ARCHITECTS MDWF	Reviewed By:	ARCHITECTS MDWF
Project Approver:	ARCHITECTS MDWF	Reviewed By:	ARCHITECTS MDWF



YOUTH TENNIS SAN DIEGO
SOUTH CHILDREN'S CENTER
SAN DIEGO, CA

Principal Pay	<u>2000 0000-0000000000</u>	Revisions 1a	
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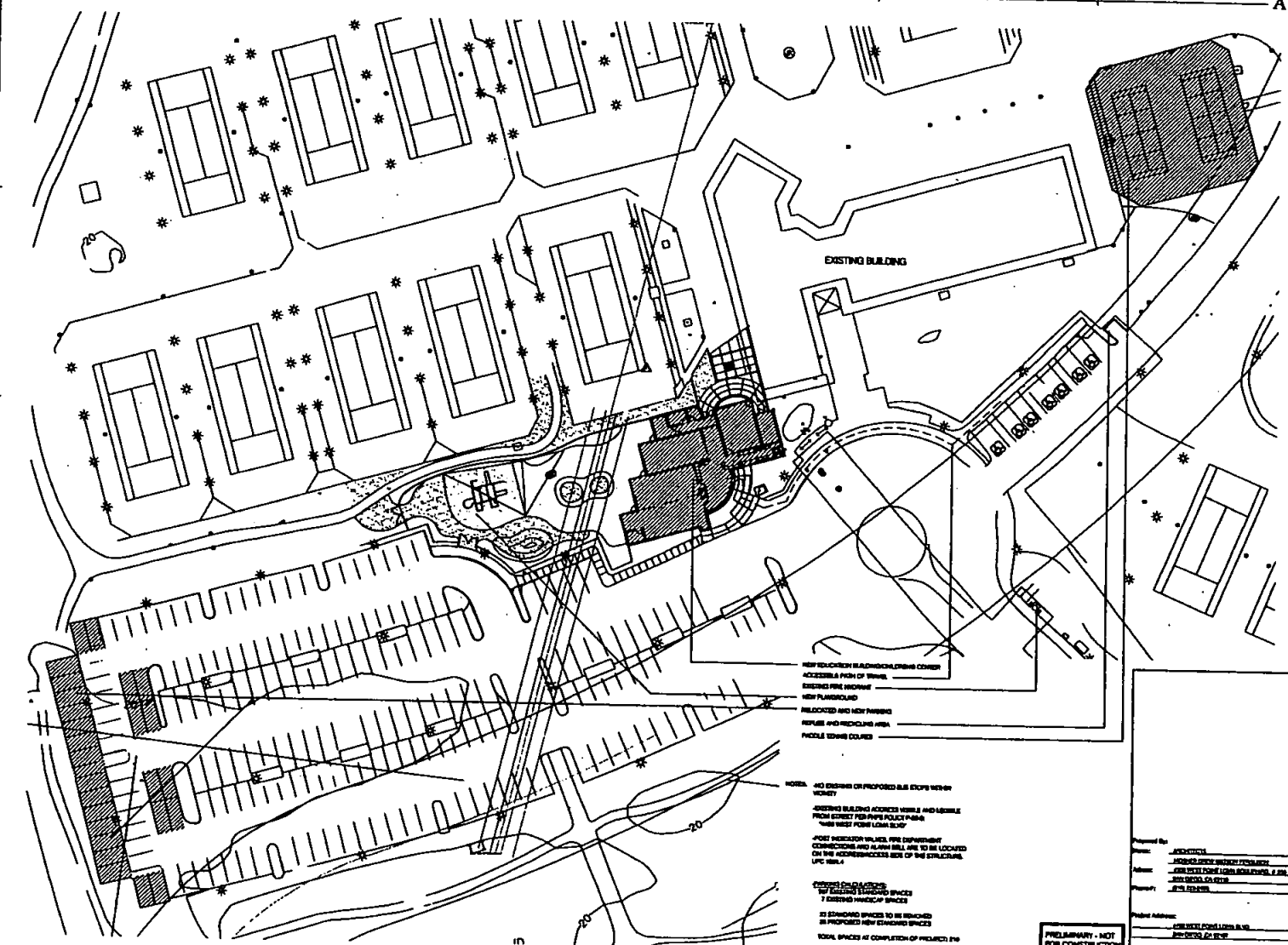




PROJECT: YOUTH TENNIS SAN DIEGO BOOTH CHILDREN'S CENTER
 LOCATION: 1000 LA JOLLA VILLAGE DRIVE, SAN DIEGO, CA 92161
 CLIENT: YOUTH TENNIS SAN DIEGO
 ARCHITECT: MDP WF
 DATE: 10/15/08

YOUTH TENNIS SAN DIEGO
 BOOTH CHILDREN'S CENTER
 SAN DIEGO, CA

Drawn: [blank]
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 Project No.: 1000000 (0000)



NEW PLAYGROUND BUILDING/CHILDREN'S CENTER
 ACCESSIBLE PATH OF TRAVEL
 EXISTING FIRE ALARM
 NEW PLAYGROUND
 RELOCATED AND NEW PARKING
 REPAIRS AND RECYCLING AREA
 PICKLE TENNIS COURTS

NOTES:
 1. AND EXISTING ON PROPOSED BLUE SLOPE NEW ON
 VORTEX
 2. EXISTING BUILDING ACCESSIBLE AND USABLE
 FROM EXISTING PARKING POLICE PARK
 3. NEW FIRE POLICE LOAN SLIP
 4. POST PROTECTION WALLS FIRE DEPARTMENT
 CONNECTIONS AND ALARM BELL ARE TO BE LOCATED
 ON THE ACCESSIBLE SIDE OF THE STRUCTURE
 LFC 100.1

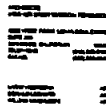
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ARCHITECTURAL SITE PLAN
 SCALE: 1"=20'

PRELIMINARY - NOT
 FOR CONSTRUCTION



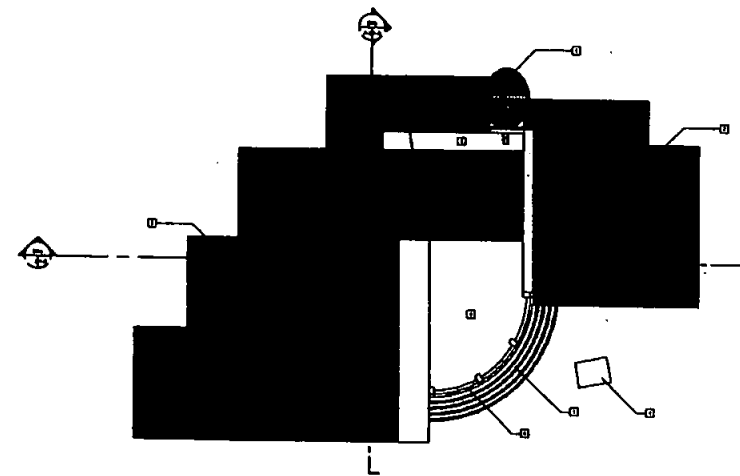
Prepared By:	ARCHITECT	Revision 01
Drawn By:	ARCHITECT	Revision 02
Checked By:	ARCHITECT	Revision 03
Project Name:	YOUTH TENNIS SAN DIEGO	Revision 04
Project Address:	1000 LA JOLLA VILLAGE DRIVE, SAN DIEGO, CA 92161	Revision 05
Project Date:	10/15/08	Revision 06
Project No.:	1000000 (0000)	Revision 07
Project Title:	ARCHITECTURAL SITE PLAN	Revision 08
Project Status:	PRELIMINARY - NOT FOR CONSTRUCTION	Revision 09
Project Owner:	YOUTH TENNIS SAN DIEGO	Revision 10
Project Manager:	ARCHITECT	Revision 11
Project Engineer:	ARCHITECT	Revision 12
Project Architect:	ARCHITECT	Revision 13
Project Designer:	ARCHITECT	Revision 14
Project Draftsman:	ARCHITECT	Revision 15
Project Checker:	ARCHITECT	Revision 16
Project Approver:	ARCHITECT	Revision 17
Project Signer:	ARCHITECT	Revision 18
Project Seal:	ARCHITECT	Revision 19
Project Stamp:	ARCHITECT	Revision 20
Project Title:	ARCHITECTURAL SITE PLAN	Revision 21
Project Status:	PRELIMINARY - NOT FOR CONSTRUCTION	Revision 22
Project Owner:	YOUTH TENNIS SAN DIEGO	Revision 23
Project Manager:	ARCHITECT	Revision 24
Project Engineer:	ARCHITECT	Revision 25
Project Architect:	ARCHITECT	Revision 26
Project Designer:	ARCHITECT	Revision 27
Project Draftsman:	ARCHITECT	Revision 28
Project Checker:	ARCHITECT	Revision 29
Project Approver:	ARCHITECT	Revision 30
Project Signer:	ARCHITECT	Revision 31
Project Seal:	ARCHITECT	Revision 32
Project Stamp:	ARCHITECT	Revision 33
Project Title:	ARCHITECTURAL SITE PLAN	Revision 34
Project Status:	PRELIMINARY - NOT FOR CONSTRUCTION	Revision 35
Project Owner:	YOUTH TENNIS SAN DIEGO	Revision 36
Project Manager:	ARCHITECT	Revision 37
Project Engineer:	ARCHITECT	Revision 38
Project Architect:	ARCHITECT	Revision 39
Project Designer:	ARCHITECT	Revision 40
Project Draftsman:	ARCHITECT	Revision 41
Project Checker:	ARCHITECT	Revision 42
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Project Signer:	ARCHITECT	Revision 44
Project Seal:	ARCHITECT	Revision 45
Project Stamp:	ARCHITECT	Revision 46
Project Title:	ARCHITECTURAL SITE PLAN	Revision 47
Project Status:	PRELIMINARY - NOT FOR CONSTRUCTION	Revision 48
Project Owner:	YOUTH TENNIS SAN DIEGO	Revision 49
Project Manager:	ARCHITECT	Revision 50
Project Engineer:	ARCHITECT	Revision 51
Project Architect:	ARCHITECT	Revision 52
Project Designer:	ARCHITECT	Revision 53
Project Draftsman:	ARCHITECT	Revision 54
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Project Title:	ARCHITECTURAL SITE PLAN	Revision 60
Project Status:	PRELIMINARY - NOT FOR CONSTRUCTION	Revision 61
Project Owner:	YOUTH TENNIS SAN DIEGO	Revision 62
Project Manager:	ARCHITECT	Revision 63
Project Engineer:	ARCHITECT	Revision 64
Project Architect:	ARCHITECT	Revision 65
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Project Status:	PRELIMINARY - NOT FOR CONSTRUCTION	Revision 74
Project Owner:	YOUTH TENNIS SAN DIEGO	Revision 75
Project Manager:	ARCHITECT	Revision 76
Project Engineer:	ARCHITECT	Revision 77
Project Architect:	ARCHITECT	Revision 78
Project Designer:	ARCHITECT	Revision 79
Project Draftsman:	ARCHITECT	Revision 80
Project Checker:	ARCHITECT	Revision 81
Project Approver:	ARCHITECT	Revision 82
Project Signer:	ARCHITECT	Revision 83
Project Seal:	ARCHITECT	Revision 84
Project Stamp:	ARCHITECT	Revision 85
Project Title:	ARCHITECTURAL SITE PLAN	Revision 86
Project Status:	PRELIMINARY - NOT FOR CONSTRUCTION	Revision 87
Project Owner:	YOUTH TENNIS SAN DIEGO	Revision 88
Project Manager:	ARCHITECT	Revision 89
Project Engineer:	ARCHITECT	Revision 90
Project Architect:	ARCHITECT	Revision 91
Project Designer:	ARCHITECT	Revision 92
Project Draftsman:	ARCHITECT	Revision 93
Project Checker:	ARCHITECT	Revision 94
Project Approver:	ARCHITECT	Revision 95
Project Signer:	ARCHITECT	Revision 96
Project Seal:	ARCHITECT	Revision 97
Project Stamp:	ARCHITECT	Revision 98
Project Title:	ARCHITECTURAL SITE PLAN	Revision 99
Project Status:	PRELIMINARY - NOT FOR CONSTRUCTION	Revision 100



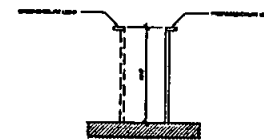
**YOUTH TENNIS SAN DIEGO
BOOTH CHILDREN'S CENTER
SAN DIEGO, CA**

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Chequed	:	
Project No.	:	00001.00 (0000)

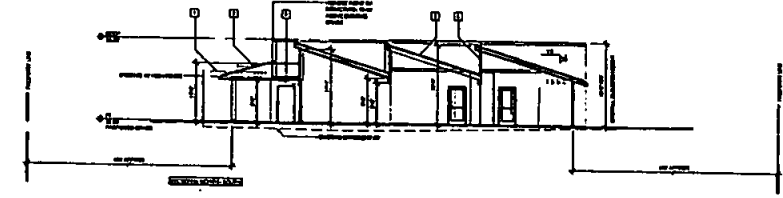
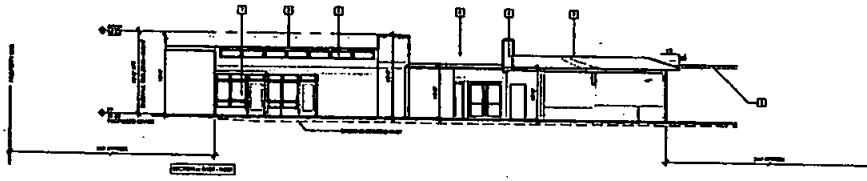
Request by:	<u> </u>	Revision 14
Name:	<u> </u>	Revision 15
Address:	<u> </u>	Revision 16
Phone:	<u> </u>	Revision 17
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		Revision 98
		Revision 99
		Revision 100



B1 **ROOF PLAN**
SCALE: 1/8" = 1'-0"



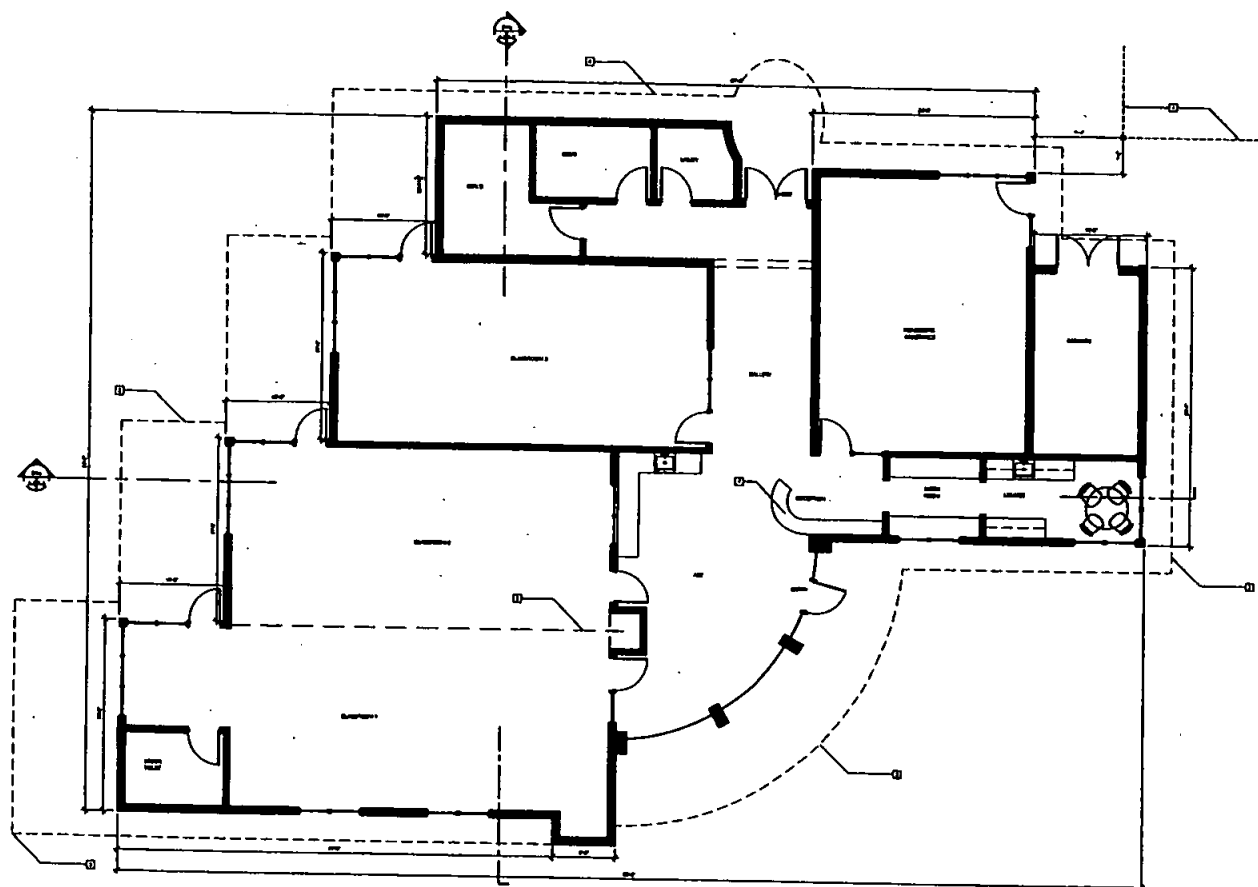
COURT LIGHT ELEVATION



01 **SECTIONS**
A-30-2 BOLD MP-K

**PRELIMINARY - NOT
FOR CONSTRUCTION**





**PRELIMINARY - NOT
FOR CONSTRUCTION**



KEYNOTES

- ☐ 1. ☐ 2. ☐ 3. ☐ 4.



**YOUTH TENNIS SAN DIEGO
BOOTH CHILDREN'S CENTER
SAN DIEGO, CA**

Drawn	1
Checked	1
Project No.	00000000

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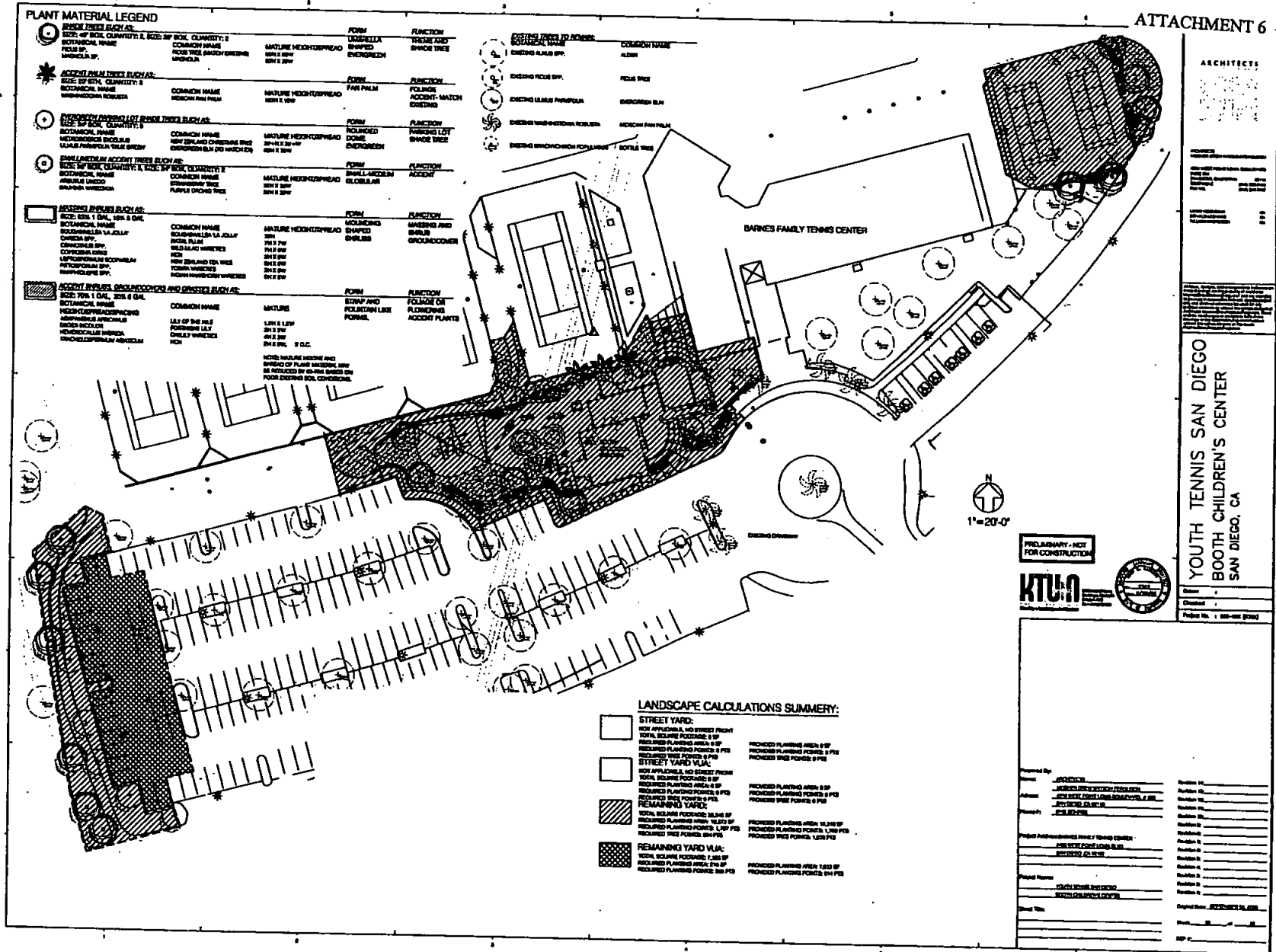


EXHIBIT "B"

Schematic design of the Improvements:	March – December 2006
City of San Diego CUP review:	December 19, 2006 – November 15, 2007
California Coastal Commission Permit:	November 15, 2007 – June 12, 2008
Design development:	June 2008 – October 2008
Construction documents preparation:	November 2008 – December 2008
City of San Diego Building Permit review:	January 2009 – March 2009
Construction of Improvements:	March 2009 - September 2009
Occupy Improvements:	September 2009