

RESOLUTION NO. 070310

BOARD OF SUPERVISORS, COUNTY OF SAN MATEO, STATE OF CALIFORNIA

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RESOLUTION AUTHORIZING AND DIRECTING THE PRESIDENT OF THE BOARD OF SUPERVISORS TO EXECUTE A GROUND LEASE WITH DTRS HALF MOON BAY LLC, FOR UNIMPROVED LAND ADJACENT TO MIRAMONTES POINT ROAD, HALF MOON BAY, TO ACCESS AN ADJACENT PARKING LOT, AT A MONTHLY RATE OF \$530 FOR A TERM OF THREE YEARS, AND AUTHORIZING THE COUNTY MANAGER OR HIS DESIGNEE TO EXECUTE NOTICES, OPTIONS AND DOCUMENTS ASSOCIATED WITH THE AGREEMENT INCLUDING, BUT NOT LIMITED TO, EXTENSION OR TERMINATION OF THE AGREEMENT UNDER THE TERMS SET FORTH THEREIN.
(PERMIT NO. 5296)

RESOLVED, by the Board of Supervisors of the County of San Mateo, State of California, that

WHEREAS, on February 1, 2003, the County of San Mateo and Vestar-Athens/YCP II Half Moon Bay, L.L.C. ("Vestar"), the previous owner and operator of the Ritz Carlton Hotel in Half Moon Bay, entered into a Ground Lease for a portion of a County owned parcel on Miramontes Point Road, Half Moon Bay, California; and

WHEREAS, the leased property is utilized for access to an adjacent parking lot for hotel employee parking; and

WHEREAS, in 2004, DTRS Half Moon Bay LLC ("DTRS") acquired the Ritz Carlton Hotel and is successor in interest to the Ground Lease; and

WHEREAS, the Ground Lease expired in 2007, and DTRS has continued to use the property on a month-to-month basis in accordance with the holdover provision of the Lease, and the County and DTRS wish to enter into a new long-term agreement; and

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WHEREAS, there has been presented to this Board of Supervisors for its consideration and acceptance a Ground Lease, reference to which is hereby made for further particulars, whereby the County of San Mateo shall authorize DTRS to use a portion of a County owned parcel on Miramontes Point Road in Half Moon Bay, for access to an adjacent parking lot, at a monthly rent of \$530, for a term of three years, in accordance with the terms and conditions contained in said Agreement, and

WHEREAS, this Board has been presented with such Ground Lease Agreement and has examined and approved same as to both form and content and desires to enter into same.

NOW THEREFORE, IT IS HEREBY DETERMINED AND ORDERED that the President of this Board of Supervisors be, and is hereby, authorized and directed to execute such Ground Lease Agreement for and on behalf of the County of San Mateo, and the Clerk of this Board shall attest the President's signature thereto; and

IT IS FURTHER DETERMINED AND ORDERED that the County Manager or his designee is hereby authorized to accept or execute on behalf of the County, any and all notices, options and documents associated with the Agreement including, but not limited to, extension or termination of the Agreement under the terms set forth therein.

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Regularly passed and adopted this 4th day of August, 2009.

AYES and in favor of said resolution:

Supervisors:

MARK CHURCH

CAROLE GROOM

ROSE JACOBS GIBSON

ADRIENNE J. TISSIER

NOES and against said resolution:

Supervisors:

NONE

Absent Supervisors:

RICHARD S. GORDON



*President, Board of Supervisors
County of San Mateo
State of California*

Certificate of Delivery

I certify that a copy of the original resolution filed in the Office of the Clerk of the Board of Supervisors of San Mateo County has been delivered to the President of the Board of Supervisors.



*Marie L. Peterson, Deputy
Clerk of the Board of Supervisors*

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