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Ordinance authorizing settlement of the unlawful detainer lawsuit entitled <u>City and County of San Francisco</u>, et al., v. Pacific Rod and Gun Club, et al. filed on September 24, 2012, in San Francisco Superior Court, Case No. CUD-12-642832 regarding City owned property located at 520 John Muir Drive in San Francisco; material terms of the

[Settlement of Lawsuit - City and County of San Francisco vs. Pacific Rod and Gun Club]

settlement agreement include City and Club executing an amended and restated month to month lease with improved insurance, indemnity and other provisions in favor of the City, a new ninety day termination notice requirement, and a stipulation for entry of judgment without trial to facilitate City obtaining a writ of possession following such notice period.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The City Attorney is hereby authorized to settle the action entitled "City and County of San Francisco, et al., v. Pacific Rod and Gun Club, et al.", San Francisco Superior Court, Case Number CUD-12-642832 by entering into a settlement agreement between the City and County of San Francisco (City) and the Pacific Rod and Gun Club (Club) with material terms that provide: (1) the San Francisco Public Utilities Commission (SFPUC) and the Club will enter into an amendment and restatement of a lease, originally entered into between the City and Club in 1934, for property located on Lake Merced at 520 John Muir Drive in San Francisco (Lease Premises), on a form approved by the City Attorney, to improve the insurance, indemnity and other provisions of the lease for the protection of the City, (as authorized by the SFPUC on October 23, 2012, subject to this Board's approval of the Settlement Agreement); (2) the Amended Lease will provide for a ninety day advance notice upon termination of the Amended Lease, instead of the current thirty day lease termination SUPERVISOR SEAN ELSBERND BOARD OF SUPERVISORS

11/5/2012

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