

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RICHMOND  
APPROVING A DONATION AGREEMENT FOR LEASEHOLD INTERESTS AND  
AUTHORIZING THE MAYOR TO EXECUTE RELATED DOCUMENTS**

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**WHEREAS**, the City of Richmond (“City”) is the fee owner of certain real property located at 1414-1422 Harbor Way South, Richmond, California; and

**WHEREAS**, Orton Entertainment, LLC (“Donor”) holds certain leasehold interests in the property pursuant to ground leases and an auxiliary lease; and

**WHEREAS**, Donor has offered to donate such leasehold interests, together with certain personal property and a monetary contribution of \$80,000, to the City pursuant to that certain Donation Agreement for Leasehold Interests and Joint Escrow Instructions (“Agreement”); and

**WHEREAS**, the City Council has reviewed and considered the terms of the Agreement and finds that acceptance of the donation is in the best interests of the City; and

**WHEREAS**, the Agreement provides for the transfer of the leasehold interests through escrow, subject to due diligence, title, and other customary conditions; and

**WHEREAS**, the City Council desires to approve the Agreement and authorize its execution and implementation.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Richmond as follows:

Section 1. The City Council hereby approves the Donation Agreement for Leasehold Interests and Joint Escrow Instructions between the City of Richmond and Orton Entertainment, LLC.

Section 2. The Mayor, or his designee, is hereby authorized to execute the Agreement on behalf of the City, subject to approval as to form by the City Attorney.

Section 3. The Mayor, or his designee, is further authorized to take all actions necessary to complete the transaction contemplated by the Agreement, including execution of related escrow documents, assignments, and other instruments, and to approve non-material amendments consistent with the intent of this Resolution.

Section 4. This Resolution shall take effect immediately upon adoption.

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I certify that the foregoing resolution was passed and adopted by the City Council of the City of Richmond at a regular meeting thereof held on Mmmm dd, yyyy, by the following vote:

AYES:

NOES:

ABSTENTIONS:

ABSENT:

CLERK OF THE CITY OF RICHMOND  
(SEAL)

Approved:

\_\_\_\_\_  
Mayor

Approved as to form:

\_\_\_\_\_  
City Attorney

State of California            }  
County of Contra Costa        }        : ss.  
City of Richmond               }

I certify that the foregoing is a true copy of **Resolution No.** \_\_\_\_\_, finally passed and adopted by the City Council of the City of Richmond at a regular meeting held on Mmmm dd, yyyy.

\_\_\_\_\_  
Pamela Christian, Clerk of the City of Richmond