

AN ORDINANCE **99493**

APPROVING THE ASSIGNMENT OF A FIVE (5) YEAR RIVER WALK LEASE AGREEMENT FROM PRESIDIO RESTAURANT, INC. D/B/A THE PRESIDIO RESTAURANT TO MULE RESTAURANT GROUP, L.L.C., D/B/A RITA'S ON THE RIVER FOR A LEASE OF 96.20 SQUARE FEET OF SIDEWALK SPACE IN THE CITY OF SAN ANTONIO RIVER WALK IN COUNCIL DISTRICT 1 FOR THE TERM OF DECEMBER 1, 2003 THROUGH JUNE 30, 2007.

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WHEREAS, it is the policy of the City of San Antonio to lease public property on the San Antonio River Walk in City Council District 1, for retail and food sales purposes; and

WHEREAS, Ordinance No. 96011, passed and approved on June 27, 2002 authorized the execution of a five (5) year Lease Agreement with Presidio Restaurant Inc. for the period July 1, 2002 through June 30, 2007; and

WHEREAS, subsequently the area was assigned/sublet to Rio Plaza and then to Mule Restaurant Group, LLC, which currently operates the space, which was authorized by the City in November 2003; and

WHEREAS, it was later determined that the lease of River Walk patio space of 96.20 square feet adjacent to the restaurant property (approved June 27, 2002) had not been included in the approved assignment; and

WHEREAS, Presidio Restaurant Inc. has requested to assign its lease agreement to Mule Restaurant Group, LLC and has submitted the required application fee; and

WHEREAS, Mule Restaurant Group, LLC will continue to pay rent as required by the original agreement; and

WHEREAS, it is in the best interest of the City of San Antonio to assign the lease of said public property on the San Antonio River Walk to the new tenant; **NOW THEREFORE:**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

Section 1. The City Manager or her designee is hereby authorized to execute an Assignment of Lease Agreement (with Landlord's Consent) with Presidio Restaurant, Inc. and Mule Restaurant Group, LLC for approximately 96.20 square feet of space. A copy of said Assignment of Lease Agreement (with Landlord's Consent) is affixed hereto and incorporated herein for all purposes as Attachment I.

Section 2. All revenue received from said lease agreement shall be deposited into the City General Fund into Revenue Index No. 066951.

Section 3. The \$1,000.00 assignment fee associated with this lease assignment shall be deposited into the City General Fund into Revenue Index No. 017517.

Section 4. This ordinance shall be effective on and after August 8, 2004.

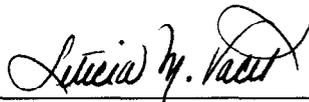
PASSED AND APPROVED this 29th day of July 2004.



M A Y O R

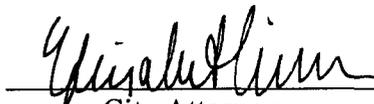
EDWARD D. GARZA

ATTEST:



City Clerk

APPROVED AS TO FORM:



City Attorney