



FEB 11, 2013 11:12 AM

OFFICIAL RECORDS  
 SAN DIEGO COUNTY RECORDER'S OFFICE  
 Ernest J. Dronenburg, Jr., COUNTY RECORDER  
 FEES: 0.00

6333

PAGES: 6



Chicago Title

RECORDING REQUESTED BY  
 AND WHEN RECORDED MAIL TO:

STATE OF CALIFORNIA  
 c/o Judicial Council of California  
 Administrative Office of the Courts  
 Office of Real Estate and Facilities Management  
 455 Golden Gate Avenue  
 San Francisco, CA 94102  
 Attn: Manager, Real Estate

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 6P  
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OFFICIAL STATE BUSINESS - EXEMPT FROM RECORDING FEES PURSUANT TO GOV'T. CODE SECTION 27383 AND DOCUMENTARY TRANSFER  
 TAX PURSUANT TO REVENUE AND TAXATION CODE SECTION 11922.

APN(S): 488-111-31; County of San Diego

### MEMORANDUM OF AMENDED AND RESTATED JOINT OCCUPANCY AGREEMENT

THIS MEMORANDUM OF AMENDED AND RESTATED JOINT OCCUPANCY AGREEMENT ("**Memorandum**") is made and entered into this 27th day of September, 2011, by and between the County of San Diego, whose present address is 5560 Overland Avenue, Suite 410, San Diego, California, 92123, Attention: Director, Department of General Services ("**County**"), and the Judicial Council of California ("**Council**"), Administrative Office of the Courts (together, the "**AOC**"), whose present address is 455 Golden Gate Avenue, San Francisco, CA 94102, Attention: Assistant Director, Office of Court Construction and Management, with respect to the following facts:

#### RECITALS

A. The State of California acting by and through the Council ("**State**") is the fee owner of that certain real property located in the City of El Cajon, County of San Diego, State of California, as more particularly described on **Attachment 1** to this Memorandum ("**I 1 Land**"), together with the building and improvements commonly known as the East County Regional Center and having the street address of 250 East Main Street, El Cajon, California, 92020, and all other buildings, structures, and improvements located on or affixed to the I 1 Land (the "**I 1 Building**"), which I 1 Building is located on the I Land. The I 1 Land, the I 1 Building, and all other buildings, structures, and improvements located on or affixed to the I 1 Land are collectively referred to in this Memorandum as the "**I 1 Real Property**";

B. On September 16, 2008, the AOC and the County entered into that certain Transfer Agreement for the Transfer of Responsibility For Court Facilities ("**Original Transfer Agreement**") under which the County transferred to the AOC responsibility for (but not title to) the court facilities located in the I 1 Building pursuant to the Trial Court

Facilities Act of 2002 (SB 1732 – Escutia), codified in Government Code sections 70301 *et seq.*;

C. Pursuant to the Original Transfer Agreement, the AOC and the County entered into that certain Joint Occupancy Agreement, dated September 16, 2008 (the “**Original JOA**”), setting forth the terms governing the respective rights and responsibilities of the County and the AOC regarding their shared possession, occupancy, and use of the I 1 Real Property, as more particularly described in the Original JOA;

D. On September 16, 2008, the County and the AOC caused to be recorded in the Recorder’s Office of the County of San Diego as Instrument Number 2008-0491567 a Memorandum of Joint Occupancy Agreement with respect to the Original JOA;

E. The Original Transfer Agreement has been amended and restated in its entirety pursuant to that certain Amended and Restated Transfer Agreement, dated November 3, 2009 (the “**ARTA**”);

F. The Original JOA has now been amended and restated in its entirety pursuant to that certain Amended and Restated Joint Occupancy Agreement of even date herewith (the “**Amended and Restated JOA**”);

G. Under the terms of the ARTA, the County conveyed fee title in and to the I 1 Real Property to the State in exchange for good and valuable consideration more fully described in the ARTA.

H. Under the terms of the Amended and Restated JOA, the County and the AOC have granted to one another, among other things, certain options, rights of first refusal, and other rights to acquire, occupy, or use any portion of the I 1 Real Property that County or AOC desire to vacate or relinquish to the other Party at the price, if any, and on the terms set forth in the Amended and Restated JOA;

I. Under the terms of the Amended and Restated JOA, this Memorandum is to be recorded in the Official Records of County with respect to the I 1 Real Property for the purpose of memorializing the existence of the Amended and Restated JOA, which supersedes and replaces the Original JOA, and the terms of which inure to the benefit of, and bind, AOC, County, and their respective successors and assigns; and


J. Any third-party interested in obtaining information about the Amended and Restated JOA may contact the parties at their above-referenced addresses.

[SIGNATURE PAGE FOLLOWS]


IN WITNESS WHEREOF, AOC and the County have executed this Memorandum as of the day and year set forth below their respective signatures.

**APPROVED AS TO FORM:**

**ADMINISTRATIVE OFFICE OF THE  
COURTS, LEGAL SERVICES OFFICE**

By:   
 Name: Charles Martel  
 Title: Attorney  
 Date: 1-18-2013

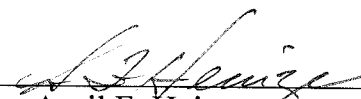
**JUDICIAL COUNCIL OF CALIFORNIA,  
ADMINISTRATIVE OFFICE OF THE  
COURTS**

By:   
 Name: Grant Walker  
 Title: Senior Manager, Business Services  
 Date: 1/25/13

**APPROVED AS TO FORM:  
THOMAS MONTGOMERY  
County Counsel**

  
 Date: 1-15-2013

**COUNTY OF SAN DIEGO, a political  
subdivision of the State of California**

By:   
 Name: April F. Heinze  
 Title: Director, Department of General Services  
 Date: 1/16/2013

STATE OF CALIFORNIA

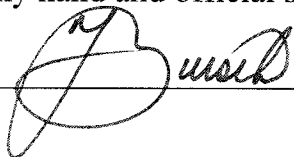
COUNTY OF SAN FRANCISCO

On JANUARY 25, 2013 before me, Z. Bursik, Notary Public, personally appeared STEPHEN SADDLER, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/~~are~~ subscribed to the within instrument and acknowledged to me that he/~~she~~/they executed the same in his/~~her~~/their authorized capacity(ies), and that by his/~~her~~/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

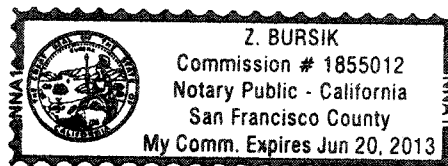
I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature



(Seal)



COUNTY ACKNOWLEDGEMENT

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**STATE OF CALIFORNIA**

**COUNTY OF SAN DIEGO**

On 1-15-13 before me, Thomas G. Harrington, Deputy County Clerk in and for said County and State, personally appeared April F. Heinze, P.E., Director, Department of General Services, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

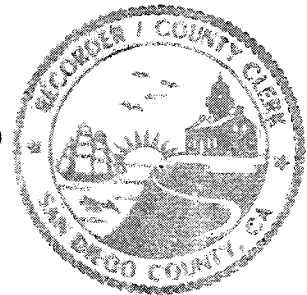
WITNESS my hand and official seal.

ERNEST DRONENBURG  
Assessor/Recorder/County Clerk

By: \_\_\_\_\_

Thomas G. Harrington – Deputy

(Seal)



**ATTACHMENT 1**  
**LEGAL DESCRIPTION OF I 1 LAND**

PARCEL A:

LOT 3 OF SUPERBLOCK PHASE II IN THE CITY OF EL CAJON, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 9548, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY FEBRUARY 6, 1980.

APN: 488-111-31