



# CITY OF NEWPORT BEACH

## Office of the City Manager

August 21, 2013

### RE: NOTICE OF TERMINATION

Dear Marina Park Residents:

After several months of waiting, the City of Newport Beach has finally received all necessary permits for the development of the new bay-front public recreational facilities on the Marina Park property. Having endured several years of a complex planning and permitting process, we are eager to begin construction. We intend to commence demolition and site preparation work on the property this December. To this end, I must provide you with this notice of termination of your lease as required by the Mobile Home Rental Agreement dated June 1, 2007 ("Lease"), between you and the City of Newport Beach. As you may recall, this Lease was incorporated into the Settlement Agreement and Release dated September 7, 2007 between all of the residents of Marina Park, the Marina Park Homeowners Association and the City of Newport Beach.

This serves as the City's ninety (90) day Notice of Termination of the Mobile Home Rental Agreement for 1770 West Balboa Boulevard, Units 1A – 12E ("Premises"). The ninety (90) day notice period expires on **November 21, 2013**. Thirteen days following - **on Monday at 12:00 noon, December 2, 2013**, you must surrender the premises and return all keys to the City. All personal items should be removed from the mobile home on or before December 2, 2013 as any items left behind on the Premises on that date at 12:00 Noon will become the property of the City of Newport Beach.

I recognize that this date is prior to the holidays, but this permit issuance process has drawn on significantly longer than any of us thought – and we need to move it forward as soon as possible.

Under the Settlement Agreement, you have the option to purchase your mobile home from the City and relocate it off of the Marina Park property. This option must be exercised on or before **October 18, 2013** and in accordance with the provisions in the Option to Purchase Mobile Homes dated September 7, 2007 ("Option"), which was also incorporated into the Settlement Agreement. To repurchase your mobile home, you must notify me of your intent to do so by October 18, 2013, and supply the City with information as to the proposed mover and the cost estimate for relocation. You must also provide insurance and pay the City of Newport Beach the repurchase price of \$30,000 less the cost estimate. All of the information necessary to enable you to

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repurchase your mobile home and provide for its relocation is set forth in the Option. ***Failure to strictly comply with the conditions and time frames outlined in the Option will cause the Option to terminate.***

It has been several years since the residents of Marina Park and the City of Newport Beach cooperatively worked together and came to an understanding as to the termination of the Lease and executed the Settlement Agreement. As a result of this mutual effort, the residents have been able to remain onsite at Marina Park throughout the arduous permitting process. Given the amount of time that elapsed since the Settlement Agreement was executed, you may find it difficult to locate the Settlement Agreement to reference all of the information included in this Notice. If so, please contact the City's Real Property Administrator, Lauren Wooding, at (949) 644-3236, [LWooding@newportbeachca.gov](mailto:LWooding@newportbeachca.gov), so that we can provide you with a copy of the Settlement Agreement and its incorporated attachments such as the Lease and Option. I know this is a challenging time now that the Notice is issued, but please know that I have appreciated the warmth and hospitality shown by you and your neighbors to me and to the City as your landlord. The homes and neighbors at Marina Park will always have a special place in your memories, and in mine too. I know that the agreement reached between the residents and the City in 2007 will help us all move into the next chapter in a way that is as smooth as possible under the circumstances.

Included with this letter are some asked and answered Frequently Asked Questions. The FAQ includes contacts for key staff members at the City in case you need additional information.

It has been a pleasure getting to know many of you over the years, and I wish you all the best in the months and years ahead. I do hope you come back and visit the new park and recreational facilities once constructed.

Sincerely,



Dave Kiff  
City Manager

cc: George Kaelin, Esq., Endemen, Lincoln, Turek, Heater, LLP  
Bill Mecham, Property Manager, Marina Park Mobile Home Park



## MARINA PARK MOBILE HOMES

### FREQUENTLY ASKED QUESTIONS REGARDING LEASE TERMINATIONS

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- 1. Why do we have to relocate from our mobile home park?** In 2007 the residents and the City of Newport entered into a Settlement Agreement under which the residents of the park leased their mobile homes from the City on a month-to-month basis. At that time, the residents and the Marina Park Homeowners Association acknowledged that once the City received all of the necessary permits to convert Marina Park to public recreational uses, the leases would automatically terminate and the residents would surrender the premises to the City.
- 2. Has the City received the necessary permits for the redevelopment of Marina Park? Yes.** The City is ready to move forward with the conversion of the park to a public use. The City Council approved the project and allocated funds for the project. On August 13, 2013, the California Coastal Commission issued a coastal development permit to the City thus permitting the construction of the project to commence.
- 3. When do I have to vacate the premises?** Pursuant to your lease agreement, you have been provided with a ninety (90) day notice period. The premises must be vacated on Monday at 12:00 noon, **December 2, 2013**.
- 4. What rent will be due if I move out prior to December 1, 2013?** You are obligated to pay rent for each month you remain on the premises. Pursuant to the lease agreement, rent is due on the first of every month. If the premises are vacated prior to the end of the 90-day notice period, or by November 21, 2013, the City will waive rent for November.
- 5. What is going to happen to my mobile home?** The City currently owns your mobile home and any improvements to the mobile home. Unless you choose to repurchase the mobile home and relocate it, the City intends to maintain yours and all other remaining mobile homes on site until demolition of the mobile homes following on December 2, 2013.

If you intend to repurchase your mobile home and move it offsite, you must immediately notify the City by contacting Lauren Wooding, Real Property Administrator, (949) 644-3236, [LWooding@newportbeachca.gov](mailto:LWooding@newportbeachca.gov) to coordinate submission of a moving estimate to the City. The purchase price a resident is to pay is based upon the moving estimate from an approved moving company.

- 6. Who do I notify before I leave the premise?** At least thirty (30) days prior to vacating the premises, please contact all the utility companies to arrange for disconnection of your utility services (i.e., electricity, telephone, gas, cable, water, etc.).

At least seven (7) days prior to vacating the premises, please contact the park's property manager, Bill Mecham at (714) 330-1449 so that you can make arrangements to return all keys and ensure all paperwork has been completed.

7. **Are there any exceptions for people with special circumstances?** Unfortunately not. For the same reason, the City is providing you at least 90 days advance notification to make the appropriate arrangements.
8. **What can I take with me?** Please take all personal belongings including furniture and fixtures to the mobile unit with you as you vacate the premise. Any items left behind on the Marina Park property on December 2, 2013 will become the property of the City of Newport Beach and disposed of by the City.
9. **When will construction start?** Construction of the redeveloped Marina Park is scheduled to commence with the demolition of the mobile homes on **December 2, 2013**. Once completed, Marina Park will include new public recreational and community facilities for the residents and visitors to the Balboa Peninsula. Construction is expected to take approximately two-and-a-half years.
10. **Who do I contact if I have more questions?** For additional project information, please call the City's Project Manager, Iris Lee at (949) 644-3323 or [ILee@newportbeachca.gov](mailto:ILee@newportbeachca.gov).