

**ASSIGNMENT AND ASSUMPTION  
AGREEMENT  
BY AND BETWEEN  
THE CITY OF DESERT HOT SPRINGS  
THE BOYS & GIRLS CLUB OF THE COACHELLA VALLEY  
AND  
BORREGO COMMUNITY HEALTH FOUNDATION**

**WHEREAS**, the City of Desert Hot Springs ("City") and the Boys and Girls Club of Coachella Valley ("Boys & Girls Club") entered into a Use/Lease Agreement, known as the "Facilities Use Agreement," dated February 2, 2010, attached hereto as Exhibit A, regarding the use of certain real property upon which is situated the Desert Hot Springs Health and Wellness Center for the purpose of operation of a Boys & Girls Club or other similar function; and

**WHEREAS**, the City and the Boys & Girls Club entered into that certain First Amendment to Use/Lease Agreement, dated May 1, 2013 ("First Amendment"), attached hereto as Exhibit B; and

**WHEREAS**, the City desires to assign its rights and obligations under the Facilities Use Agreement and the First Amendment to Borrego Community Health Foundation ("Borrego"), a California non-profit \_\_\_\_\_ corporation; and

**WHEREAS**, Borrego has agreed to assume the rights and obligations of the City under the Facilities Use Agreement and the First Amendment.

**NOW, THEREFORE**, in consideration of the above facts and for the promises and mutual covenants contained herein, the receipt and adequacy of which are hereby acknowledged, the parties agree to the following:

**Section 1. Assignment of Rights and Obligations.**

The City of Desert Hot Springs hereby assigns all of its rights and obligations under the Facilities Use Agreement and First Amendment to the Borrego Community Health Foundation.

**Section 2. Assumption of Rights and Obligations.**

The Borrego Community Health Foundation hereby assumes all of the rights and obligations of the City of Desert Hot Springs under the Facilities Use Agreement and First Amendment.

**Section 3. Acknowledgment and Acceptance.**

The Boys and Girls Club of Coachella Valley hereby acknowledges and accepts the assignment of the rights and obligations by the City of Desert Hot Springs and the assumption of those rights and obligations by the Borrego Community Health Foundation.

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**IN WITNESS WHEREOF**, the City of Desert Hot Springs, the Borrego Community Health Foundation and the Boys and Girls Club of Coachella Valley have executed this Assignment and Assumption Agreement as of the date first written above.

**CITY OF DESERT HOT SPRINGS**

\_\_\_\_\_  
Signature


Adam Sanchez, Sr.  
\_\_\_\_\_

Print Name

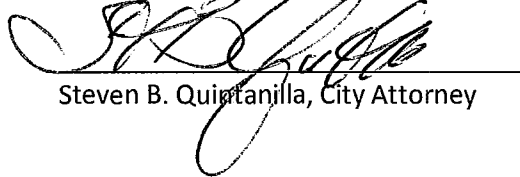
Mayor  
\_\_\_\_\_

Title

**ATTEST:**

  
\_\_\_\_\_  
Jerryl Soriano, City Clerk

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
Steven B. Quintanilla, City Attorney

**BORREGO COMMUNITY HEALTH FOUNDATION**

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Title

**BOYS AND GIRLS CLUB OF COCHELLA VALLEY**

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Title