



ST PAUL'S CATHEDRAL EPISCOPAL

January 25, 2024

Stephanie Weaver Yankee
Executive Director
La Jolla Symphony & Chorus
9500 Gilman Dr.
La Jolla, CA 92093

RE: Performance Space Arrangement

Dear Ms. Weaver Yankee,

We are pleased to agree with La Jolla Symphony and Chorus Association, a California nonprofit corporation ("LJSC"), for LJSC's chorus to use The Cathedral Church of Saint Paul's (aka St. Paul's Episcopal Cathedral's), a California nonprofit religious corporation (the "Cathedral's"), campus facilities located at 2728 Sixth Ave., San Diego, California 92103, for public choral performances in the Cathedral's Nave during the Term (defined below) of this Agreement, for not more than (6) performances during any calendar year. LJSC's use will be subject to, and LJSC shall execute and deliver to the Cathedral, the Cathedral's standard space rental agreement in use at the time of the reservation for each performance, provided however, the Cathedral will waive its usual space rental fee. LJSC shall pay to the Cathedral the Cathedral's standard charges in effect at the time of each performance for labor, janitorial services, and parking.

The Cathedral enters into this agreement in full expectation of making its facilities available. However, LJSC acknowledges the Cathedral spaces must be available for worship services and other activities to minister to community, diocesan or congregational needs. Arrangements for each event scheduled at the Cathedral will go through the regular reservation process and are based on the availability of the Cathedral's facilities. LJSC shall provide the Cathedral at least 30 days advance notice of its requested date(s).

The determination to cancel or reschedule events is at the sole discretion of the Cathedral and no liability to the Cathedral will arise from any such cancellation or rescheduling. LJSC retains the right to cancel any performance, in which case LJSC will not have any financial obligation to the Cathedral provided LJSC has delivered to the Cathedral written notice of such cancellation at least 24 hours prior to the scheduled date and time.

LJSC shall recognize the Cathedral's contribution to LJSC under this letter agreement with one (1) display "advertisement" of at least ½ page size in each of LJSC's programs, using copy provided or approved by the Cathedral.

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The “Term” of this Agreement shall commence January 24, 2024 and shall terminate January 24, 2044, provided however this Agreement shall terminate earlier upon the occurrence of any of the following events: (i) the dissolution or merger of LJSC; (ii) the revocation of LJSC’s tax exempt status under Internal Revenue Code Section 501(c)(3) which remains in effect for more than 180 days; (iii) LJSC ceases to publicly perform for more than 365 continuous days (unless such suspension of public performances is required by law as a result of a *force majeure* event, including public health emergencies); or (iv) the closure or destruction (including partial destruction) of the Cathedral facilities resulting in the expected closure of the Cathedral Nave for more than 365 continuous days.

This Agreement is personal to LJSC and to the Cathedral and neither party may assign their rights under this Agreement without the prior written consent of the other party.

Notices may be given by either party by email (receipt confirmed) or by writing by personal delivery (deemed effective upon receipt), first class United States Postal Service (deemed effective two (2) business days after postage-paid mailing) or sent by overnight courier (deemed effective upon receipt) to the following addresses:

Cathedral:
Cathedral Church of Saint Paul
Attn: Kathleen Burgess
2728 Sixth Ave.
San Diego, CA 92103
Email: burgessk@stpaulcathedral.org

LJSC:
La Jolla Symphony and Chorus Association
Attn: Executive Director
9500 Gilman Dr.
La Jolla, CA 92093
Email: _____

Changes in the notice addresses may be given in accordance with the notice provisions of this Agreement.

[Continued on Next Page]

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We are grateful to work with LJSC.

Sincerely,

The Cathedral Church of Saint Paul
(aka St. Paul's Episcopal Cathedral)
a California nonprofit religious corporation

By: _____
The Very Rev. Penny Bridges
Dean

Agreed and accepted:

La Jolla Symphony and Chorus Association

By: _____
Stephanie Weaver Yankee
CEO

Dated: _____, 2024

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