

AMENDMENT NO. 12 TO LEASE NO. 5691
PARCEL NO. 53 – MARINA DEL REY

THIS AMENDMENT TO LEASE made and entered into this ^{29th} ~~16~~ day of August 2000 (the "Effective Date").

BY AND BETWEEN

COUNTY OF LOS ANGELES
hereinafter referred to as "County"

AND

HARBOR REAL ESTATE LIMITED PARTNERSHIP, a Delaware limited partnership, hereinafter referred to as "Lessee".

WITNESSETH

WHEREAS, on the 19th day of June, 1962, the parties hereto, or their predecessors in interest, entered into Lease No. 5691, under the terms of which County leased to Lessee that certain real property located in the Marina del Rey Small Craft Harbor, County of Los Angeles, State of California, commonly known as Parcel 53, which leasehold premises (the "Premises") are more particularly and legally described in Exhibit "A" attached to and incorporated in said Lease, as amended (the Lease and all amendments are collectively hereafter referred to as the "Lease"); and

WHEREAS, sales of ship chandlery have previously been reported and payable by Lessee under Section 13 (s) pertaining to miscellaneous goods and services; and

WHEREAS, the parties wish to amend the provisions of the Lease relating to the payment of percentage rent to the County by adding a specific sales category for ship chandlery retail and wholesale sales undertaken on the Premises.

NOW, THEREFORE, in consideration of the mutual agreements, covenants and conditions contained herein, the parties, and each of them, agree as follows:

Commencing as of the Effective Date, Section 13 (PERCENTAGE RENTALS) of said Lease is amended by adding the following new subsection after subsection (u):

"(v) TWO Percent (2%) of gross receipts from retail ship chandlery sales and ONE Percent (1%) of gross receipts from wholesale ship chandlery sales. Wholesale ship chandlery sales shall consist solely of sales to holders of valid California resale licenses which shall be verified by inclusion of the valid resale license number for each such sale on the

corresponding invoice or other sales records retained by Sub-Lessee relating to such sale. All other sales shall be considered retail ship chandlery sales."

Except as herein specifically amended, all terms, conditions and provisions of the Lease shall be and continue to remain in full force and effect and are unmodified, and each of the parties hereto reaffirms and reacknowledges its respective obligations under the Lease as amended hereby.

IN WITNESS WHEREOF, County has, by order of its Board of Supervisors, authorized this Amendment to Lease to be subscribed by the Chair of said Board and attested by the Clerk thereof and the Lessee has executed same the day and year first hereinabove written.

Dated: AUG 29 1999

ADOPTED
BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

19

AUG 29 2000

COUNTY OF LOS ANGELES

By: *Gloria Trubian*
Chair, Board of Supervisors

Violet Varona-Lukens
VIOLET VARONA-LUKENS
EXECUTIVE OFFICER

LESSEE

HARBOR REAL ESTATE LIMITED PARTNERSHIP, a Delaware limited partnership

By Vaparetto Corp., an Illinois Corp., its General Partner

Attest: Violet Varona-Lukens
Executive Officer - Clerk of
The Board of Supervisors

By: *E.F.L.*

By: *Sophia G. Villalobos*
Deputy

Its: *V.P.*

APPROVED AS TO FORM:
Lloyd W. Pellman,
County Counsel

BY: *Richard Muen*
Deputy