26695

SUPPLEMENT 1

AMENDMENT NO. 1 TO LEASE NO. 26695
PARCEL 141T, MARINA DEL REY SMALL CRAFT HARBOR

THIS AMENDMENT TO LEASE made and entered into this 14th day of Aug, 1979,

BY AND BETWEEN COUNTY OF LOS ANGELES, hereinafter referred to as "County,"

AND INTERSTATE MARINA DEVELOPMENT CO., a limited partnership, hereinafter referred to as "Lessee,"

WITNESSETH:

WHEREAS, on September 21, 1962, County and the predecessors in interest of Lessee entered into Lease No. 6125 under the terms of which Lessee is leasing from County that certain real property located in the Marina del Rey Small Craft Harbor, County of Los Angeles, State of California, now commonly known as Parcel 141T and now identified as Lease No. 26695 which leasehold premises are more particularly and legally described in Exhibit "A" attached to and incorporated in said Lease No. 26695; and

WHEREAS, it is now the desire of County to construct on a portion of said leasehold premises a public sidewalk which, if effected, will become an element of the improvements constituting a public thoroughfare known as "Admiralty Way;" and

WHEREAS, Lessee is willing to reduce the area of said leasehold premises for the purpose of providing right of way for the construction of a public sidewalk provided that the rental for said premises as presently defined in Section 12, entitled "Square Foot Rental," of said Lease No. 26695 be reduced in an equitable proportion, County concurring therewith;

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

1. The total area of the leasehold constituting Parcel 141T shall be reduced by 1,524 square feet which is more particularly and legally described in Exhibit "B" attached hereto and hereby incorporated herein.

2. The remaining area of the leasehold is hereby acknowledged to encompass 156,758 square feet in area which is more particularly and legally described in Exhibit "A" which is hereby attached hereto and incorporated herein and which area shall henceforth be referred to as Parcel 141V.

3. Section 7 (Rental Security Deposit) of said Lease is hereby amended by deleting the words and figures "THREE THOUSAND EIGHT HUNDRED NINETEEN AND 16/100 DOLLARS ($3,819.16)" and substituting therefor the words and figures "THREE THOUSAND SEVEN HUNDRED EIGHTY AND 3/100 DOLLARS ($3,780.03)".

4. The first paragraph of Section 12 (Square Foot Rental) is hereby deleted and the following substituted therefor:

"The annual rental for the whole of the demised premises shall be $0.1027 per square foot as to 147,226 square feet of area, or the amount of FIFTEEN THOUSAND ONE HUNDRED TWENTY AND 11/100 DOLLARS ($15,120.11)".

5. A new section is hereby added as follows:

"50. SPECIAL PROVISIONS RELATING TO CONSTRUCTION OF PUBLIC IMPROVEMENTS.

County hereby agrees that, in the event County proceeds to construct a public sidewalk on that portion of the leasehold premises referred to in Section 1, Amendment No. 1 hereto, it shall assume full responsibility for the protection and safeguarding of Lessee's premises and improvements including, but not necessarily limited to, providing retaining walls as may be required to maintain the existing grade on the leasehold, repairing and or

TO 446 C

(Corporation as a Partner of a Partnership)

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STATE OF CALIFORNIA
COUNTY OF LOS ANGELES } SS.

On February 13, 1979, before me, the undersigned, a Notary Public in and for said State, personally appeared A. M. LURIE, known to me to be the President, and ELVA E. LANG, known to me to be the Secretary of REAL PROPERTY DEVELOPMENT CORP., the corporation that executed the within instrument and known to me to be the persons who executed the within instrument on behalf of said corporation, said corporation being known to me to be ~~XXXXXXXXXXXX~~ the General Partner of, the partnership that executed the within instrument, and acknowledged to me that such corporation executed the same as such partner and that such partnership executed the same.

WITNESS my hand and official seal.

Signature LaVerne E. Barnett

LaVerne E. Barnett
Name (Typed or Printed)

OFFICIAL SEAL
LAVERNE E. BARNETT
NOTARY PUBLIC - CALIFORNIA
LOS ANGELES COUNTY
My comm. expires JAN 21, 1983

444 Washington Street, Marina Del Rey, CA 90291

(This area for official notarial seal)

STAPLE HERE

LEGAL DESCRIPTION

Marina Del Rey
Lease Parcel No. 141V

Parcels 416 to 420 inclusive, in the County of Los Angeles, State of California, as shown on Los Angeles County Assessor's Map No. 88, filed in Book 1, pages 53 to 70 inclusive, of Assessor's Maps, in the office of the Registrar-Recorder of said County.

Excepting therefrom that portion thereof within the following described boundaries:

Beginning at the westerly terminus of a curve concave to the north, having a radius of 24 feet, tangent to the southwesterly boundary of said Parcel 416 and tangent to a line parallel with and 3 feet northwesterly, measured at right angles, from the straight line in the southeasterly boundary of said last mentioned parcel; thence easterly along said curve 38.25 feet to said parallel line; thence northeasterly along said parallel line 14.46 feet to a curve concentric with and 3 feet northwesterly, measured radially, from that certain 960 foot radius curve in said southeasterly boundary; thence northeasterly along said concentric curve and its northeasterly continuation 303.91 feet to a curve concentric with and 3 feet northwesterly, measured radially, from that certain 1040 foot radius curve in the southeasterly boundary of said Parcel 419; thence northeasterly along said last mentioned concentric curve and its northeasterly continuation 151.61 feet to the northeasterly line of said Parcel 420; thence southeasterly along said northeasterly line 3.05 feet to the easterly corner of said last mentioned parcel; thence southwesterly along the southeasterly boundaries of said Parcels 420, 419, 418 and 417 to the easterly corner of said Parcel 416; thence southwesterly, westerly and northwesterly along the southeasterly, southerly and southwesterly boundaries of said last mentioned parcel to the point of beginning.

Reserving and excepting unto the County of Los Angeles a right of way for access and harbor utility purposes in and across that portion of above described parcel of land which lies within the northwesterly 20 feet thereof.

Also reserving and excepting unto the County of Los Angeles a right of way for storm drain and harbor utility purposes in and across that portion of above described parcel of land which lies within the southeasterly 10 feet of the northwesterly 30 feet thereof.

Also subject to any and all easements of record as the same now exists.

DESCRIPTION APPROVED
January 19, 1979
STEPHEN J. KOONCE
County Engineer

By _____ Deputy

Exhibit A

LEGAL DESCRIPTION

Marina Del Rey
Lease Parcel No. 141U

Those portions of Parcels 416 to 420 inclusive, in the County of Los Angeles, State of California, as shown on Los Angeles County Assessor's Map No. 88, filed in Book 1, pages 53 to 70 inclusive, of Assessor's Maps, in the office of the Registrar-Recorder of said County, within the following described boundaries:

Beginning at the westerly terminus of a curve concave to the north, having a radius of 24 feet, tangent to the southwesterly boundary of said Parcel 416 and tangent to a line parallel with and 3 feet northwesterly, measured at right angles, from the straight line in the southeasterly boundary of said last mentioned parcel; thence easterly along said curve 38.25 feet to said parallel line; thence northeasterly along said parallel line 14.46 feet to a curve concentric with and 3 feet northwesterly, measured radially, from that certain 960 foot radius curve in said southeasterly boundary; thence northeasterly along said concentric curve and its northeasterly continuation 303.91 feet to a curve concentric with and 3 feet northwesterly, measured radially, from that certain 1040 foot radius curve in the southeasterly boundary of said Parcel 419; thence northeasterly along said last mentioned concentric curve and its northeasterly continuation 151.61 feet to the northeasterly line of said Parcel 420; thence southeasterly along said northeasterly line 3.05 feet to the easterly corner of said last mentioned parcel; thence southwesterly along the southeasterly boundaries of said Parcels 420 to 416 inclusive, to the beginning of a curve concave to the north, having a radius of 20 feet, tangent to said southeasterly boundary of Parcel 416 and tangent to said southwesterly boundary; thence westerly along said last mentioned curve 31.87 feet to said southwesterly boundary; thence northwesterly along said southwesterly boundary 7.10 feet to the point of beginning.

DESCRIPTION APPROVED
January 19, 1979
STEPHEN J. KOONCE
County Engineer

By Agustin Alvarez Deputy

EXHIBIT B