

AMENDMENT NO. 5 TO LEASE NO. 5574

PARCEL NO. 10 - MARINA DEL REY

THIS AMENDMENT TO LEASE made this 31st day of October,  
1972,

BY AND BETWEEN

COUNTY OF LOS ANGELES, hereinafter  
referred to as "County,"

AND

NEPTUNE MARINA, a limited partnership,  
hereinafter referred to as "Lessee,"

W I T N E S S E T H:

WHEREAS, the predecessors in interest of Lessee and County have, on the 4th day of May, 1962, entered into a lease under which County leased that certain real property in the Marina del Rey Small Craft Harbor now known as Parcel No. 10, which premises are legally described in Exhibit "A" attached to said lease, as amended; and

WHEREAS, the County Road Commissioner has determined that in order to handle safely and expeditiously increased vehicular traffic, it is in the public interest to widen that certain dedicated public highway known as Via Marina, a portion of which extends along the frontage of the leasehold premises hereunder demised; and

WHEREAS, County has constructed appropriate improvements which include sidewalks, curbs, gutters, and new asphaltic concrete paving on said Via Marina and extending in front of and beyond Lessee's premises; and

WHEREAS, Lessee has agreed to give up that portion of the leasehold premises needed to effect said street widening in exchange for reimbursement for his cost to salvage and/or relocate certain existing improvements including but not limited to signs, lighting fixtures and conduit, and the like, which are located within such area;

NOW, THEREFORE, in consideration of the mutual promises and covenants of the parties hereto, it is hereby agreed as follows:

1. The land area of the demised premises is hereby reduced 220 square feet and the total area remaining under lease shall be 318,927 square feet of land and 203,927 square feet of water, for a total of 522,854 square feet, which shall henceforth be known as Parcel 10R, as legally described in Exhibit "A" attached hereto and incorporated herein.

2. 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 Seven and Five Tenth Cents (\$0.075) per square foot as to 318,927 square feet of land area, and Ten Cents (\$0.10) per square foot as to 203,927 square feet of water area or the total of Forty Thousand Two Hundred and Thirty Three Dollars and Sixty Nine Cents (\$40,233.69)."

"Lessee shall pay to County said rental in twelve (12) equal monthly installments. Said installments shall be due and payable in advance on the first day of each calendar month."

3. Section 50 (Reimbursement to Lessee) is hereby added to this lease as follows:

"It is hereby acknowledged by the parties hereto that Lessee has removed and/or relocated certain existing improvements previously constructed upon the demised premises in order to facilitate the construction of those certain street improvements hereinabove described. County agrees to reimburse Lessee for the direct costs involved in said removal and/or relocation in an amount not to exceed One Thousand Five Hundred and Seventy Three Dollars (\$1,573.00)."

4. The effective date of this Amendment to Lease is the first day of the month following execution of this document by the Chairman of the Board of Supervisors, County of Los Angeles.

7/27/74  
522,854  
220  
523,074

84

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5. Any and all other terms and conditions contained in the lease shall remain in full force and effect and are hereby re-affirmed.

IN WITNESS WHEREOF, the COUNTY OF LOS ANGELES, by order of its Board of Supervisors, has caused this Amendment to Lease to be executed on its behalf by the Chairman of said Board and attested by the Executive Officer-Clerk thereof, and the Lessee has executed this Amendment to Lease, or caused it to be duly executed, the day, month and year first above written.

NEPTUNE MARINA, A Limited Partnership

By

*Harold Klein*  
Harold Klein

By

ATTEST:

By

President

JAMES S. MIZE, Executive  
Officer-Clerk of the  
Board of Supervisors

By

Secretary

By

*Myra Klein*  
Deputy



APPROVED AS TO FORM:

JOHN D. MAHARG  
County Counsel

THE COUNTY OF LOS ANGELES

By

*Fred W. Clough*  
Deputy

By

*Walter E. Don*  
Chairman, Board of Supervisors

ADOPTED  
BOARD OF SUPERVISORS  
COUNTY OF LOS ANGELES

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OCT 31 1972

TO 442 C  
(Partnership)

(TI)

STATE OF CALIFORNIA  
COUNTY OF Los Angeles } SS.

On Sept 1 1972  
before me, the undersigned, a Notary Public in and for said State, personally appeared

Harold Klean  
\_\_\_\_\_ known to me

to be \_\_\_\_\_ of the partners of the partnership  
that executed the within instrument, and acknowledged to me  
that such partnership executed the same.

WITNESS my hand and official seal  
Signature Paul Levinson

\_\_\_\_\_  
Name (Typed or Printed)



(This area for official notarial seal)

STATE OF CALIFORNIA  
County of Los Angeles } SS

On this 31st day of October, A.D., 19 72, before me JAMES S. MIZE, Executive Officer —  
Clerk of the Board of Supervisors of the County of Los Angeles, State of California, residing therein, duly commissioned and  
sworn, personally appeared

WARREN M. DORN, known  
to me to be the Chairman of the Board of Supervisors of the County of Los Angeles and the person who executed the within  
instrument on behalf of the County therein named, and acknowledged to me that such County executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year  
of this certificate first above written.

JAMES S. MIZE, Executive Officer — Clerk of the Board of Supervisors  
By Myra Klean Deputy



Exhibit A

LEGAL DESCRIPTION

Marina Del Rey  
Lease Parcel No. 10R

Parcels 102 to 132 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 Recorder of said County.

Excepting therefrom that portion thereof within the following described boundaries:

Commencing at the northerly terminus of that certain 1000 foot radius curve having a length of 561.21 feet in the center line of Via Marina, as shown on said map; thence southerly along said certain curve 297.08 feet; thence easterly along a radial of said certain curve to a point in that certain 960 foot radius curve in the easterly boundary of said Via Marina, said point being the true point of beginning, said point also being the beginning of a compound curve concave to the east and having a radius of 880.11 feet more or less, said compound curve being tangent at its northerly terminus to a line parallel with and 3.5 feet easterly, measured at right angles, from the straight line in the westerly boundary of Parcel 188, as shown on said map, at a point distant southerly along said parallel line 90.66 feet from the northerly line of said last mentioned parcel; thence northerly along said compound curve 120.49 feet to the beginning of a compound curve concave to the southeast, tangent to a line parallel with and 5 feet southerly, measured at right angles, from the straight line in the northerly boundary of said Parcel 108 and having a radius of 19 feet; thence northeasterly along said last mentioned compound curve 32.89 feet to said last mentioned parallel line; thence East along said last mentioned parallel line 2.52 feet; thence North 5.00 feet to said northerly boundary; thence westerly, southwesterly and southerly along the northerly, northwesterly and westerly boundaries of said last mentioned parcel to said true point of beginning.

Also reserving and excepting unto the County of Los Angeles, rights of way for sanitary sewer, fire access and harbor utility purposes in and across those portions thereof designated on said map as easements to be reserved by said County for such purposes.

DESCRIPTION APPROVED

JUL 14

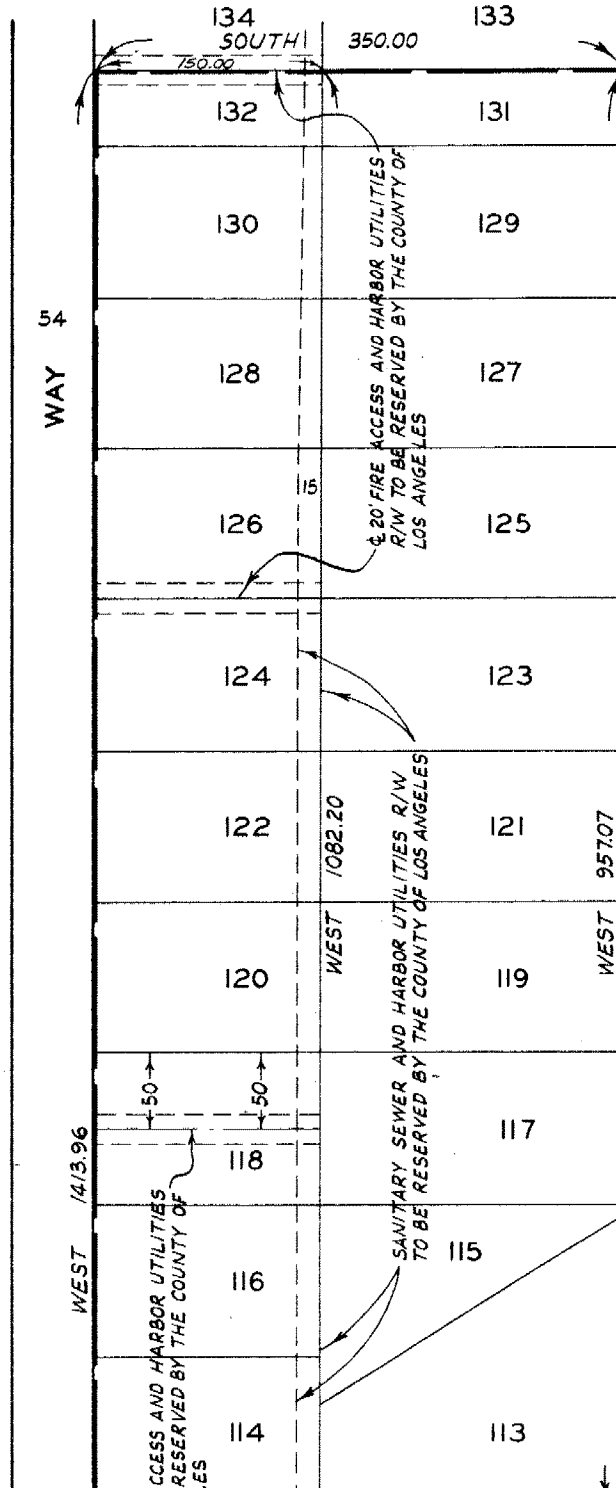
HARVEY T. BRANDT  
County Engineer

By James H. [Signature] Deputy

(A)

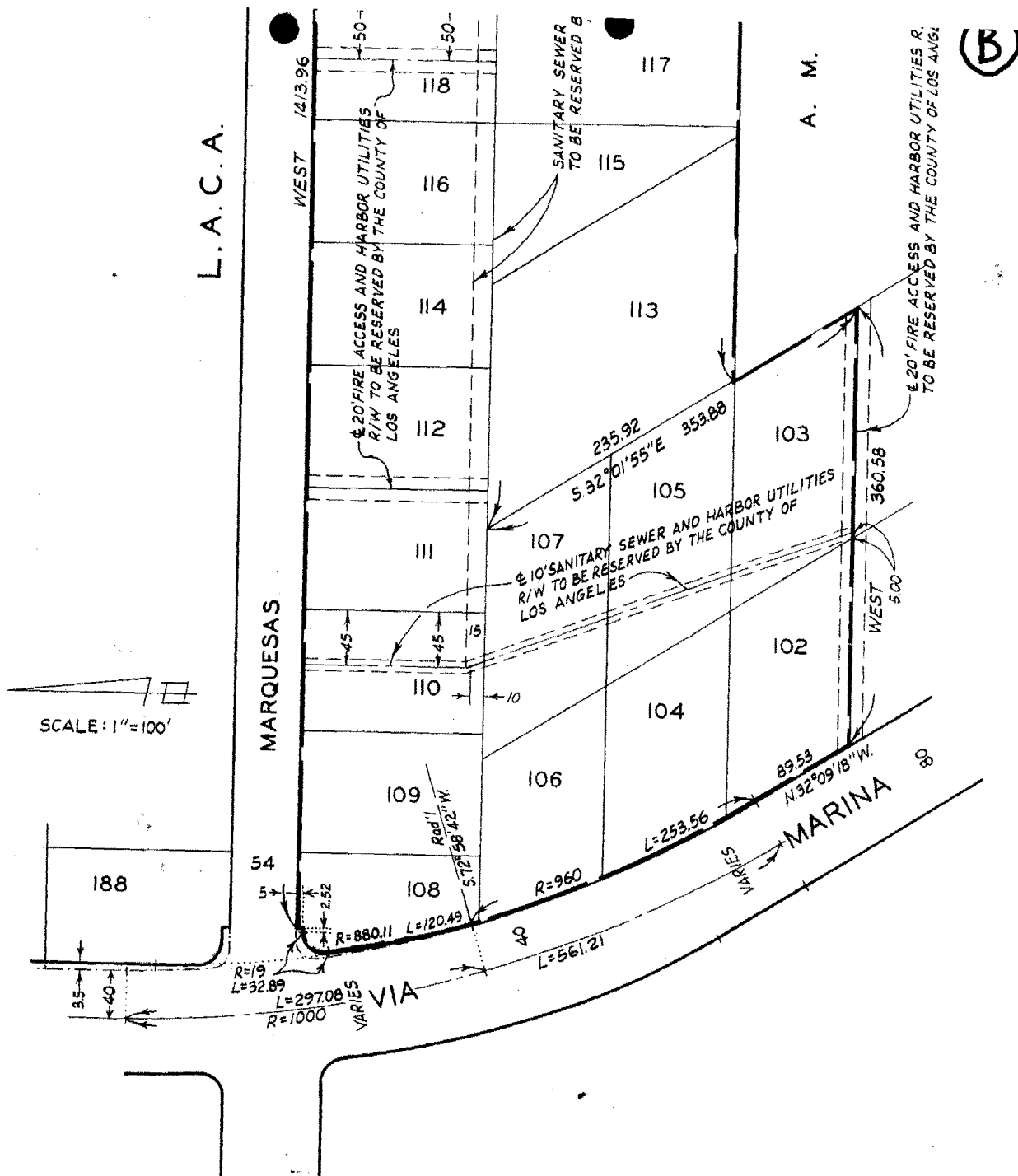
Exhibit A-1

L. A. C. A. MAP NO. 88



A. M. B. I - 53 - 70

20' FIRE ACCESS AND HARBOR UTILITIES R/W TO BE RESERVED BY THE COUNTY OF LOS ANGELES



DRY AREA 318,927<sup>sq</sup>ft = 7.321 Ac.  
 WET AREA 208,927<sup>sq</sup>ft = 4.682 Ac.  
 GROSS AREA 522,854<sup>sq</sup>ft = 12.003 Ac.

MARINA DEL REY  
 BOUNDARY OF LEASE PARCEL 10R