

AMENDMENT NO. 10 TO LEASE NO. 6416

PARCEL NO. 12R - MARINA DEL REY

~~41563~~

THIS AMENDMENT TO LEASE made this 16th day of April,

1962,

BY AND BETWEEN

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

AND

DEAUVILLE MARINA DEVELOPMENT COMPANY, LTD.
a limited partnership,
hereinafter referred to as "Lessee,"

WITNESSETH:

WHEREAS, the parties hereto or their predecessors in interest have, on the twenty-first day of December, 1962, entered into a lease under which Lessee leased from County that certain real property in the Marina del Rey Small Craft Harbor known as Parcel No. 12R; and

WHEREAS, the lease, as amended, provides that County shall receive 20% of gross receipts from the rental or other fees charged for the use of boat slips; and

WHEREAS, said lease further provides that County shall receive 7½% of gross receipts for the occupancy of apartments; and

WHEREAS, the Marina del Rey has a number of persons living on their boats who are required to pay an additional liveaboard charge upon which the lessee is required to pay 20% of said liveaboard charge to County as other fees charged for the use of boat slips; and

WHEREAS, the charge for liveaboard is similar to rent being paid for apartments upon which the lessees pay 7½%; and

WHEREAS, it is more equitable that the percentage rent payable for liveaboard charges be similar to that for apartment charges;

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

1. Subsection (c) of Section 13 (PERCENTAGE RENTALS) of said lease is hereby deleted and the following substituted therefor:

"(c) SEVEN AND ONE-HALF Per Cent (7½%) of gross receipts or other fees charges for the occupancy of structures and other facilities including but not limited to (1) apartments, (2) hotel and/or motel accommodations, (3) house trailers, (4) meeting rooms, (5) rental of land and/or water or facilities for activities not otherwise provided for in this Section such as but not limited to television and/or motion pictures, (6) parking fees or charges except where such parking fees or charges are collected in conjunction with an activity, the gross receipts from which are required to be reported in a percentage category greater than SEVEN AND ONE-HALF Per Cent (7½%), (7) offices utilized for banking, financial or investment activities, internal clerical or administrative activities or business enterprises, real estate and insurance brokerage, legal, medical, engineering, travel agencies, or similar professional services but not to include, however, stores, shops or other commercial establishments, the gross receipts pertaining to which are subject to percentage rentals and specifically required to be reported under other subsections of this Section; and (8) liveaboard charges over and above slip

rental fees imposed by anchorages for the privilege of a
a boat owner living on his boat;"

2. The effective date of this amendment shall be the first
day of the month following execution by the Chairman of the Board of
Supervisors.

3. Any and all other terms and conditions contained in
said lease shall remain in full force and effect and are hereby
reaffirmed.

IN WITNESS WHEREOF, County has, by order of its Board of
Supervisors, caused this amendment to lease to be subscribed by the
Chairman of said Board and attested by the Executive Officer-Clerk,
thereof, and the Lessee has executed the same the day, month and
year first hereinabove written.

ADOPTED
BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

122

AUG 9 1977

James S. Mize

JAMES S. MIZE
EXECUTIVE OFFICER

ATTEST:

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

By *Patricia Polk*
4-16-82 Deputy

APPROVED AS TO FORM:

JOHN H. LARSON
County Counsel

By *Robert W. Roddy*

DEAUVILLE MARINA DEVELOPMENT COMPANY, LTD

By

Ac Block

By



THE COUNTY OF LOS ANGELES

Pat E. Schaban
Chairman, Board of Supervisors