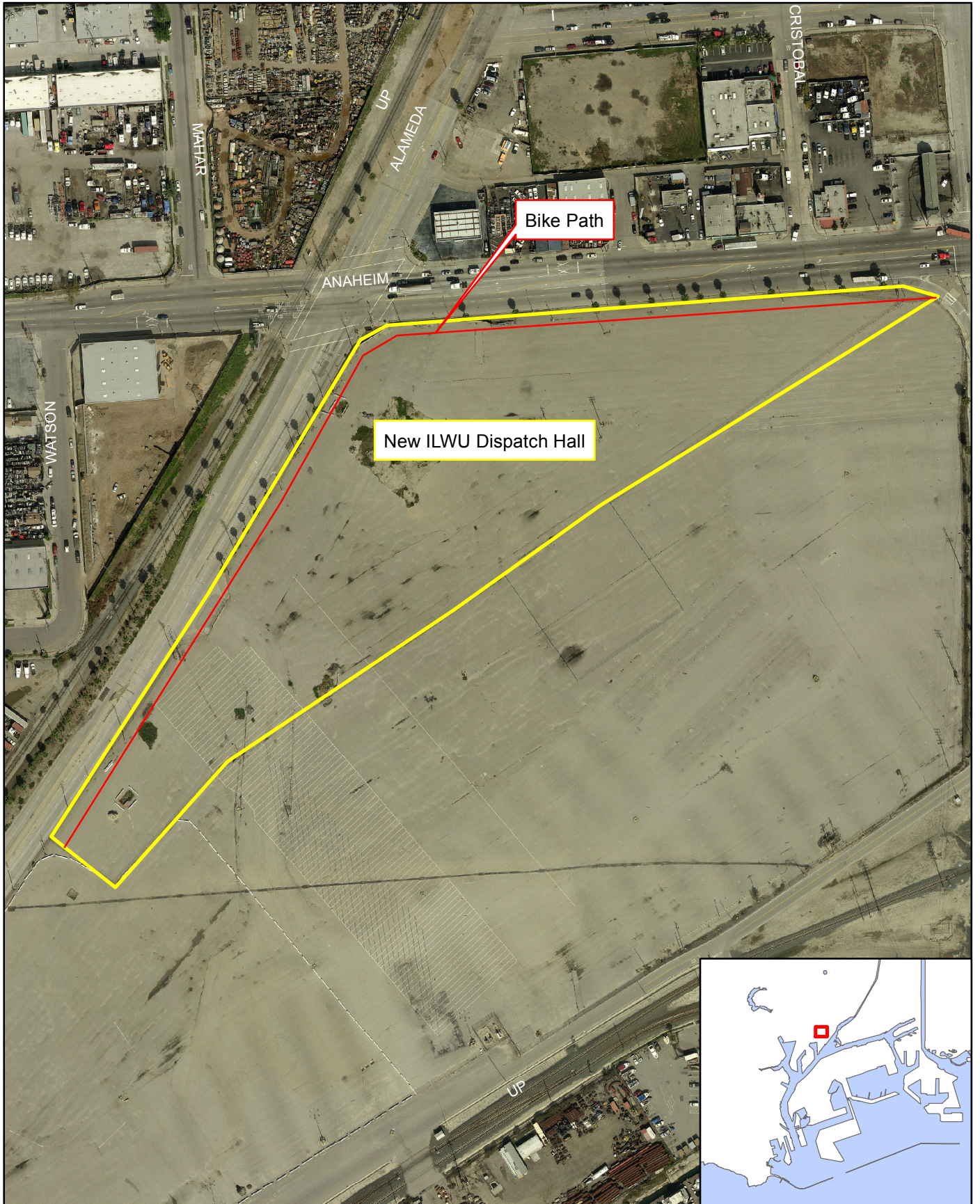


# 2nd Amendment to P.893 with PMA



0 95 190 380 570 Feet

Harbor Department  
Planning & Economic Development  
Map Produced 8/2014



**SECOND AMENDMENT TO PERMIT NO. 893  
BETWEEN THE CITY OF LOS ANGELES AND  
PACIFIC MARITIME ASSOCIATION**

PERMIT NO. 893 ("Permit No. 893" or "Permit") entered into by and between the CITY OF LOS ANGELES ("City") acting by and through its Board of Harbor Commissioners ("Board") and PACIFIC MARITIME ASSOCIATION ("Tenant") on May 31, 2011, is amended a second<sup>1</sup> time, with respect to the following:

WHEREAS, Section 2.2.1, of the Permit, Construction Phase, provides, among other things, "Tenant, at its sole cost and expense shall complete the Improvements as defined in Section 7.1. . . .;"

WHEREAS, the definition of Improvements Tenant is obligated to construct includes the "Bike Path Improvements" (defined in the Permit in Section 3.1 and described in Section II of Exhibit B).

WHEREAS, Tenant, pursuant to Section 2.2.1 of the Permit, is required to commence construction of the Bike Path Improvements (and all the Improvements) within twelve months after the Construction Effective Date and complete construction of the Bike Path Improvements (and all the Improvements) within thirty-six (36) months after the Construction Effective Date (as more particularly described therein).

WHEREAS, City and Tenant desire to enter into an amendment of the Permit to change the time frame requirements for the commencement and completion of the construction of the Bike Path Improvements.

WHEREFORE, City and Tenant enter into this Second Amendment to Permit No. 893 on the below terms and conditions.

**AMENDMENT**

1. Section 2.2.1 of the Permit is amended with respect to the time frame for commencement and completion of the construction of the Bike Path Improvements only. Tenant is not required to commence construction nor complete construction of the Bike Path Improvements according to the timeline provided in Section 2.2.1.
2. City retains the right to require Tenant to construct the Bike Path Improvements at a future time. When City wants Tenant to construct

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<sup>1</sup> Permit No. 893 was amended a first time by the Settlement and Release Agreement Amending Permit 893 entered into by and between City and Tenant as of February 6, 2012.

the Bike Path Improvements, City shall give reasonable notice to Tenant and Tenant shall have the same amount of time originally allotted in Section 2.2.1 of the Permit to commence and construct the Bike Path Improvements, or at City's option, within another timeframe to which City and Tenant agree as approved by Executive Director. When the parties agree upon the new dates for Tenant to commence and complete the Bike Improvements, said dates may be attached to this Second Amendment as Exhibit 1 without further approval or action of the Board.

Except as amended herein, all remaining terms and conditions of Permit No. 893 remain the same.

IN WITNESS WHEREOF, the parties hereto have executed this Second Amendment to Permit 893 on the date to the left of their signatures.

THE CITY OF LOS ANGELES, by its Board of Harbor Commissioners

Dated: \_\_\_\_\_, 2014

By \_\_\_\_\_  
Executive Director

Attest \_\_\_\_\_  
Board Secretary

PACIFIC MARITIME ASSOCIATION, a California corporation

Dated: August 4, 2014

By [Signature]

Its STEPHEN HENNESSEY SVP  
Type/Print Name and Title of Officer

Attest [Signature]

Its Craig E Epperson, SVP & Gen  
Type/Print Name and Title of Officer C

APPROVED AS TO FORM AND LEGALITY

Aug. 8, 2014

MICHAEL N. FEUER, City Attorney

By [Signature]  
Estelle M. Braaf, Deputy