

ORDER NO. \_\_\_\_\_

An Order of the Board of Harbor Commissioners of the City of Los Angeles ("Board") requiring the removal and/or relocation of pipelines pursuant to Section 11(u) of Permit No. 418.

WHEREAS, by Order No. 4973 dated November 26, 1980, the Board approved Permit No. 418 granting to Mobil Oil Corporation, now known as ExxonMobil Oil Corporation ("Tenant") permission to use and occupy certain lands at the Port of Los Angeles; and

WHEREAS, Section 11(u) of Permit No. 418 provides that the Board shall have the right to make any change in the route or location of any pipeline constructed or maintained by Tenant pursuant to Permit No. 418, as may be required or made necessary by the progress of harbor development or the performance of any work or improvement within the jurisdiction of the Board; and

WHEREAS, Section 11(u) of Permit No. 418 requires that the Board give Tenant at least ninety (90) days' written notice of a determination any such change in the route or location is required or necessary; and

WHEREAS, Section 11(u) of Permit No. 418 requires that all associated removal and relocation costs shall be borne by Tenant; and

WHEREAS, the City of Los Angeles Harbor Department is expanding the TraPac container terminal at Berths 137-147; and

WHEREAS, construction of an elevated pedestrian bridge across the rail lines at the entrance to the TraPac terminal requires the removal and/or relocation of pipelines constructed or maintained by Tenant pursuant to Permit No. 418;

NOW, THEREFORE, IT IS HEREBY ORDERED by the Board of Harbor Commissioners of the City of Los Angeles as follows:

Section 1. That expansion of the TraPac terminal and the associated gate enhancements are part of the continued progress of harbor development that requires removal and/or relocation of pipelines constructed or maintained by Tenant pursuant to Permit No. 418 as depicted on the attached sketch.

Section 2. That written notice be provided to Tenant that removal and/or relocation of said pipelines is necessary.

Section 3. That pursuant to Section 11(u) of Permit No. 418, all costs associated with the removal and/or relocation of the pipelines be borne by Tenant.

Section 4. That pursuant to Section 11(u) of Permit No. 418, unless additional time is granted by the Harbor Engineer, Tenant shall have ninety (90) days ("Work



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WHEREAS, Section 11(u) of Permit No. 418 provides that the Board shall have the right to make any change in the route or location of any pipeline constructed or maintained by Tenant pursuant to Permit No. 418, as may be required or made necessary by the progress of harbor development or the performance of any work or improvement within the jurisdiction of the Board; and

WHEREAS, Section 11(u) of Permit No. 418 requires that the Board give Tenant at least ninety (90) days' written notice of a determination any such change in the route or location is required or necessary; and

WHEREAS, Section 11(u) of Permit No. 418 requires that all associated removal and relocation costs shall be borne by Tenant; and

WHEREAS, construction of the Cabrillo Way Marina, consisting of 697 berthing slips, a 400 dry boat storage facility, boater and public restrooms, promenades, parking and related facilities, requires the removal and/or relocation of pipelines constructed or maintained by Tenant pursuant to Permit No. 418;

NOW, THEREFORE, IT IS HEREBY ORDERED by the Board of Harbor Commissioners of the City of Los Angeles as follows:

Section 1. That the construction of the Cabrillo Way Marina is part of the continued progress of harbor development that requires removal and/or relocation of pipelines constructed or maintained by Tenant pursuant to Permit No. 418 as depicted on the attached sketch.

Section 2. That written notice be provided to Tenant that removal and/or relocation of said pipelines is necessary.

Section 3. That pursuant to Section 11(u) of Permit No. 418, all costs associated with the removal and/or relocation of the pipelines be borne by Tenant.

Section 4. That pursuant to Section 11(u) of Permit No. 418, unless additional time is granted by the Harbor Engineer, Tenant shall have ninety (90) days ("Work Period") after receipt of the written notice to perform the work of removing, relocating, and/or modifying the pipelines as determined necessary by the Harbor Engineer to

avoid interference with construction of the Cabrillo Way Marina. Tenant is advised that if Tenant fails to complete the removal, relocation and/or modification of the pipelines within the time allowed, the City of Los Angeles may incur increased construction costs and losses of revenue resulting from the delayed completion of the redevelopment of the Cabrillo Way Marina.

Section 5. Tenant shall also remove or remediate any and all soil or groundwater contamination associated with the pipelines removed or relocated.

Section 6. The Secretary shall certify to the adoption of this Order by the Board of Harbor Commissioners of the City of Los Angeles.

I HEREBY CERTIFY that the foregoing Order was adopted by the Board of Harbor Commissioners of the City of Los Angeles at its meeting held \_\_\_\_\_.

ROSE M. DWORSHAK  
Board Secretary

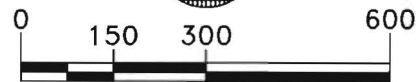
APPROVED AS TO FORM AND LEGALITY

April 11, 2011  
CARMEN A. TRUTANICH, City Attorney

By   
KENNETH F. MATTFELD, Deputy


KFM/dls  
3/31/11





GRAPHIC SCALE

DWG: Transmittal 3 - Cabrillo Way Marina Phase II (Support Facilities) - Main Constructing - IBER version  
 DATE: Apr 14, 2011 10:23am AREA: AREA2 - IBER/EPOLA boundary  
 POLAPROS\_VER.1\_12/96

SCALE: AS-SHOWN	DATE: 4/2011	RECOMMENDED FOR APPROVAL	
DRAWN: MS		CHIEF OF DESIGN	
CHECKED:			
DESIGNED:			
ENGR/ARCH	ASSISTANT CHIEF HARBOR ENGINEER	APPROVED	
		CHIEF HARBOR ENGINEER	
<b>EXXON MOBIL PIPELINE REMOVAL / CABRILLO WAY MARINA RENOVATION</b>			
 <b>THE PORT OF LOS ANGELES ENGINEERING DIVISION</b> <small>425 S. PALOS VERDES STREET SAN PEDRO CA 90731-3309</small>		DRAWING NUMBER <b>SKETCH</b>	

TRANSMITTAL 3