

ORDER NO. _____

An Order of the Board of Harbor Commissioners of the City of Los Angeles ("Board") resetting compensation to be paid by VIA CABRILLO MARINA 2500, LLC ("Via Cabrillo" or "Tenant"), pursuant to Concession Agreement No. 521, as amended ("CA-521"), for the five-year period commencing September 1, 2017 and ending August 31, 2022.

WHEREAS, CA-521 grants Via Cabrillo the use of certain Harbor Department property for a 50-year term commencing September 1, 1987; and

WHEREAS, CA-521 provides the compensation to be paid by Tenant to the Board for the use of the premises for the five-year period beginning September 1, 2002, subject to readjustment; and

WHEREAS, in July, 2010, the Board reset the compensation for the five-year period beginning September 1, 2007 and ending August 31, 2012; and

WHEREAS, in June, 2013, the Board reset the compensation for the five-year period beginning September 1, 2012 and ending August 1, 2017; and

WHEREAS, in July, 2013, the Board effectuated a Third Amendment to Concession Agreement No. 521, which included a restatement of the compensation for the five-year period beginning September 1, 2012 and ending August 31, 2017.

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

1. The annual rent for the five-year period beginning September 1, 2017 and ending August 31, 2022 is \$72,329.40 (\$6,027.45 per month); and
2. Each July 1st, the annual rent will be adjusted by the CPI-U increase, but never any decrease.

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 on _____.


AMBER M. KLESGES
Board Secretary

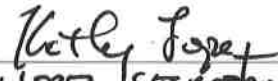
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The undersigned Tenant has read and agree to terms and conditions of this Order.

Dated: DEC 29, 2017


VIA CABRILLO MARINA 2500, LLC

By 
NICHOLAS G. TONSICH, MANAGING MEMBER
(Print/Type Name and Title)

Attest 
KATHY LOPEZ, SECRETARY
(Print/Type Name and Title)

APPROVED AS TO FORM AND LEGALITY

Jan. 2, 2018
MICHAEL N. FEUER, City Attorney
JANNA B. SIDLEY, General Counsel

By 
CHRISTOPHER B. BOBO
Assistant City Attorney

CBB/ila 11/14/2017