

ORDER NO.

An Order of the Board of Harbor Commissioners of the City of Los Angeles consenting to the sublease of a portion of the Premises under Permit No. 897 ("Permit") from Catalina Channel Express, Inc. ("Catalina") to Avalon Freight Services, LLC ("AFS"), a Delaware limited liability company, 385 East Swinford Street, San Pedro, California 90731.

WHEREAS, Catalina is the holder of Permit No. 897 granted to Catalina by the City of Los Angeles ("City"), acting by and through its Board of Harbor Commissioners ("Board") pursuant to Board Resolution No. 12-7242; and

WHEREAS, Section 13 of the Permit provides that no assignment, sublease or transfer of the Permit is valid without City's consent; and

WHEREAS, Section 13.4(b) of the Permit provides that in no event shall a sublease be allowed that exceeds twenty (20) percent of the Premises to any one sublessee; and

WHEREAS, Greg Bombard, the president of Catalina, and Tim Bombard, with a fifty (50) percent share, formed a limited liability company with, Harley Franco and family, who operate Harley Marine Services, Inc., with the other fifty (50) percent share, on March 18, 2014, which limited liability company is known as AFS; and

WHEREAS, on or about June 19, 2015, Catalina and AFS entered into a Standard Industrial/Commercial Multi-Tenant Lease – Net ("Sublease") for portions of the Premises granted to Catalina under the Permit, which portion exceeds twenty (20) percent of the Premises; and

WHEREAS, in connection with the aforementioned Sublease, Catalina has requested consent from the City to the Sublease; and

WHEREAS, City is willing to waive the prohibition against sublease of more than the twenty (20) percent of the Premises and consent to such transfer, on the terms and conditions set forth herein;

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

SECTION 1. City waives the twenty (20) percent limitation on the Premises subleased and consents to the transfer by sublease of a portion of the Premises granted by the Permit from Catalina to AFS, provided:

- (a) City's consent hereby expressed shall not waive any other of the City's rights thereupon as to Catalina nor shall the same be

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construed to or in any way amend, extend, abridge or interpret any of the provisions of the Permit; and

- (b) AFS shall agree to be bound by and observe all the terms and conditions of the Permit and assume all of the obligations of Catalina thereunder, except for the payment of compensation to the City, with respect to the portions of the Premises occupied by AFS.

SECTION 2. The Board 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 _____.

AMBER M. KLESGES
Board Secretary

The undersigned hereby accepts the terms and conditions as specified above.

AVALON FREIGHT SERVICES,
LLC

Dated: 08-07, 2015



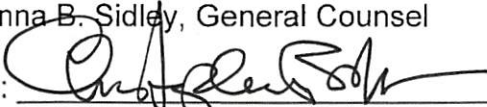
LORI BOMBARD, PRESIDENT
(Print/Type Name and Title) PARTNER

Attest: Lori Bombard

Lori Bombard SECRETARY
(Print/Type Name and Title)

APPROVED AS TO FORM AND LEGALITY

Aug. 11, 2015
MICHAEL N. FEUER, City Attorney
Janna B. Sidley, General Counsel

By: 
CHRISTOPHER B. BOBO, Assistant

CBB/anw
08/06/15