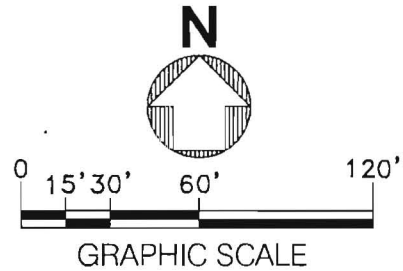



NOTE:

- 1) No substructures are shown on this drawing. Accurate substructure information must be obtained from lessees and L.A.H.D. engineering records.
- 2) Horizontal Datum is based on the North American Datum of 1983 (NAD 83), California Coordinate System, Zone 5, Feet.
- 3) All distances shown on this drawing are grid distances. To obtain a reasonable representation of the ground distance, divide the distance herein by the average scale factor of 1.000076.



SCALE: 1" = 60'	DATE: 10/15/03	RECOMMENDED FOR APPROVAL	PERMIT MAP - AUTHORITY NO. CA521	
DRAWN: DRR	10/03	CHIEF OF DESIGN	VILLA CABRILLO MARINA 2500, LLC	
CHECKED: DRR	10/03	DESIGNED: M. GUTIERREZ		
ENGR/ARCH <i>Waryl R. Rosach</i>	ASSISTANT CHIEF HARBOR ENGINEER	APPROVED <i>Antonio J. Givellio</i> CHIEF HARBOR ENGINEER	 THE PORT OF LOS ANGELES <small>ENGINEERING DIVISION P.O. BOX 151 SAN PEDRO, CA 90724-0151</small>	
			DRAWING NUMBER 5-5726	

POLAPROS_VER.1 - 12/96

TRANSMITTAL 1

VIA CABRILLO MARINA 2500, LLC.

TRANSMITTAL 2

Date Printed: 22 May 2013



Legend

SCALE 1: 9,801

1,633.5 0 1,633.5 Feet

Projection: WGS_1984_Web_Mercator_Auxiliary_Sphere



This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR NAVIGATION





"ORDER NO. 13-_____

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., pursuant to Concession Agreement No. 521

WHEREAS, CA grants Via Cabrillo the use of Harbor Department property for office use for a 50-year term commencing September 1, 1987, The premises is located at 2500 Via Cabrillo Marina, San Pedro and is comprised of 39,531 square foot (s.f.) of which 5,000 s.f. is at no change because it is a non-exclusive open plaza accessible to the public and utilized by the adjacent tenant, Los Angeles Sky Harbor LLC (dba Doubletree Hotel). Tenant-owned improvements on the site include a three-story building (25,115 s.f.); and

WHEREAS, the property was originally part of a larger development that through foreclosure was divided into three parcels, including Via Cabrillo. The larger parcel contained a bank, office building, hotel, and parking lot; and

WHEREAS, the First Amendment to CA 521, dated October 7, 1987, established fix minimum monthly compensation, monthly percentage of gross receipts requirement for the period of September 1, 1987 through October 31, 1997, deleted various areas from the premises; and

WHEREAS, in 2010, the Board reset the compensation for 2007 through 2012, as follows:

1. For September 1, 2007 through November 30, 2009, the rent was set as the greater of \$24,000 annually (\$2,000 monthly) or a percentage of gross receipts in excess of \$2,000 per month using percentages of gross receipts for various activities, ranging from three to ten percent;
2. Beginning on December 1, 2009, the annual rent was fixed at \$62,156 (\$5,180 per month) and the percentage rent was set at zero percent; and
3. Beginning July 1, 2010, and every year thereafter, the annual rent was to be adjusted by the Consumer Price Index for All Items, All Urban Communities for the Los Angeles – Riverside and Orange Counties (CPI-U) and the percentage rent would remain at zero; and

WHEREAS, currently, compensation for CA 521 is composed of minimum annual rent and zero percentage of gross receipts. CA 521 requires that compensation be reset every five years. Via Cabrillo is a tenant in good standing, having paid its rent on a timely basis and having made capital improvements to the facilities. On July 1, 2010, 2011 and 2012, the annual rent was adjusted in accordance with the change in the CPI-U, which brought the annual rent to the current amount of \$66,526.07; and

WHEREAS, as a result of the division of the parcels, it is necessary to modify the Uses clause of Section 5, of the agreement to indicate that the CA 521 premises shall be used for the operation and maintenance of structure and facilities for rental of marine-related office space and purposes incidental thereto and no other purpose without prior written approval of the Board; and

WHEREAS, since the 2010 compensation reset provided for a zero payment of percentage rent, Port and the parties desire that the CA 521 Rent clause of Section 4, as amended by the Second Amendment, should be revised to eliminate all percentage rental payments and reporting requirements.

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 effective September 1, 2012 through August 1, 2017, is \$66,526.07 (\$5,543.84 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

JULIE W. HUERTA
Commission Secretary

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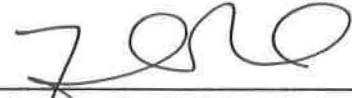
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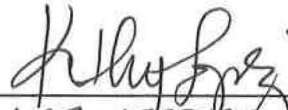
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The undersigned Tenant has read and agree to terms and conditions of this Order.

Dated: JUNE 4, 2013


VIA CABRILLO MARINA 2500, LLC

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

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

APPROVED AS TO FORM AND LEGALITY

June 6, 2013
CARMEN A. TRUTANICH, City Attorney
Janna Sidley, General Counsel

By 
CHRISTOPHER B. BOBO, Assistant City Attorney