

FIRST AMENDMENT TO AGREEMENT NO. 08-2723
BETWEEN THE CITY OF LOS ANGELES
AND COGNAC PACIFIC GATEWAY, LLC

THIS FIRST AMENDMENT to Agreement No. 08-2723 is made between the CITY OF LOS ANGELES, a municipal corporation (hereinafter called "City"), acting by and through its Board of Harbor Commissioners (hereinafter called "Board"), and COGNAC PACIFIC GATEWAY, LLC, a Delaware limited liability company, c/o Unire Real Estate Group, Inc., 1800 East Imperial Highway, Suite 205, Brea, California 92821 ("Developer").

WHEREAS, City and Developer entered into Foreign-Trade Zone Developer Agreement No. 08-2723 ("Agreement") on or about February 12, 2009; and

WHEREAS, City and Developer desires to modify the Agreement; and

NOW, THEREFORE, BE IT RESOLVED, that Agreement No. 08-2723 between the City of Los Angeles and Cognac Pacific Gateway, LLC be hereby amended as follows:

1. Section III. TERM AND RENEWAL, the term of this Agreement shall be extended an additional five (5) years beginning on February 1, 2014 and ending on January 31, 2019.

2. The second and third "Whereas" set forth in the Recitals section of the Agreement is hereby deleted in its entirety and replaced with the following:

"WHEREAS, Developer desired to continue to make use of foreign-trade zone status at the site (the "Zone Site") described in the map marked Exhibit A-1, which is attached hereto and incorporated by reference herein "Zone Site No. 7 map"; and

WHEREAS, the Developer is the owner of Zone Site No. 7 or otherwise has the right to control Zone Site No. 7 as required by the FTZ Board and as evidenced by the Letter(s) of Agreement from each such owner of property within the boundaries of Zone Site No. 7 map, marked Exhibit A-1, attached hereto and incorporated by reference herein; and"

Except as amended herein, all remaining terms and conditions of Agreement No. 08-2723 shall remain in full force and effect.

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IN WITNESS WHEREOF, the parties hereto have executed this First Amendment to Agreement No. 08-2723 on the date to the left of their respective signatures.

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

Dated: _____, 2013


By: _____
Executive Director

Attest _____
Board Secretary

COGNAC PACIFIC GATEWAY, LLC
a Delaware limited liability company

Dated: Jan 5, 2013

By: PRISA LHC LLC, a Delaware limited liability company
Its: Sole member


Jennifer K. Freedman
Vice President

(Print/Type Name and Title)

Attest 

(Print/Type Name and Title)

APPROVED AS TO FORM AND LEGALITY

_____, 2013
MICHAEL N. FEUER, City Attorney
JANNA SIDLEY, General Counsel

By: _____
HELEN J. SOK, Deputy City Attorney

HJS:jpr
Attachment
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