

DUPLICATE ORIGINAL

Amendment to Sublease Agreement

Evergreen Distributors, Inc.

RR-273522
DOCUMENT NO. 273522

FILED MAY 22 1989

OFFICE OF THE CITY CLERK
SAN DIEGO, CALIFORNIA

The City of San Diego, a municipal corporation, hereinafter called City, as the successor in interest to that certain sublease agreement between SAN PASQUAL VINEYARDS, a California corporation, and EVERGREEN DISTRIBUTORS, INC., d.b.a. EVERGREEN NURSERY, a California corporation, and Evergreen Distributors, Inc., hereby agree to amend the original sublease agreement as follows:

1. Paragraph 1, Premises, is deleted in its entirety and replaced by the following:

1. Premises. City hereby leases to Lessee and Lessee leases from City all that certain real property situated in the City of San Diego, County of San Diego, State of California, described in Exhibit "A" attached hereto and by this reference made part of this agreement. Said real property hereinafter called the "premises" or "leased premises" consists of approximately 96 acres.

2. Paragraph 2, Rent - The first four sentences of the paragraph beginning with "Lessee shall pay" and ending with "at the same per acre rate" is deleted in its entirety and replaced by the following:

Rent. Lessee shall pay City rent calculated at the rate of Three Hundred Twenty-seven Dollars (\$327) per acre per year payable quarterly in advance commencing April 16, 1989 and on or before the 16th day of the month beginning each new subsequent quarter. Effective April 16, 1989, the annual rent payable to the City shall be Thirty-one Thousand Three Hundred Ninety-two Dollars (\$31,392). The remainder of the paragraph beginning with "...the per acre rate shall be adjusted..." remains unchanged.

Nothing herein is intended to modify or alter any other covenants of this sublease agreement.

CITY OF SAN DIEGO

Date MAY 22 1989

By [Signature]
ASSISTANT TO THE City Manager

EVERGREEN DISTRIBUTORS, INC.

Date MARCH 31 1989 By [Signature]

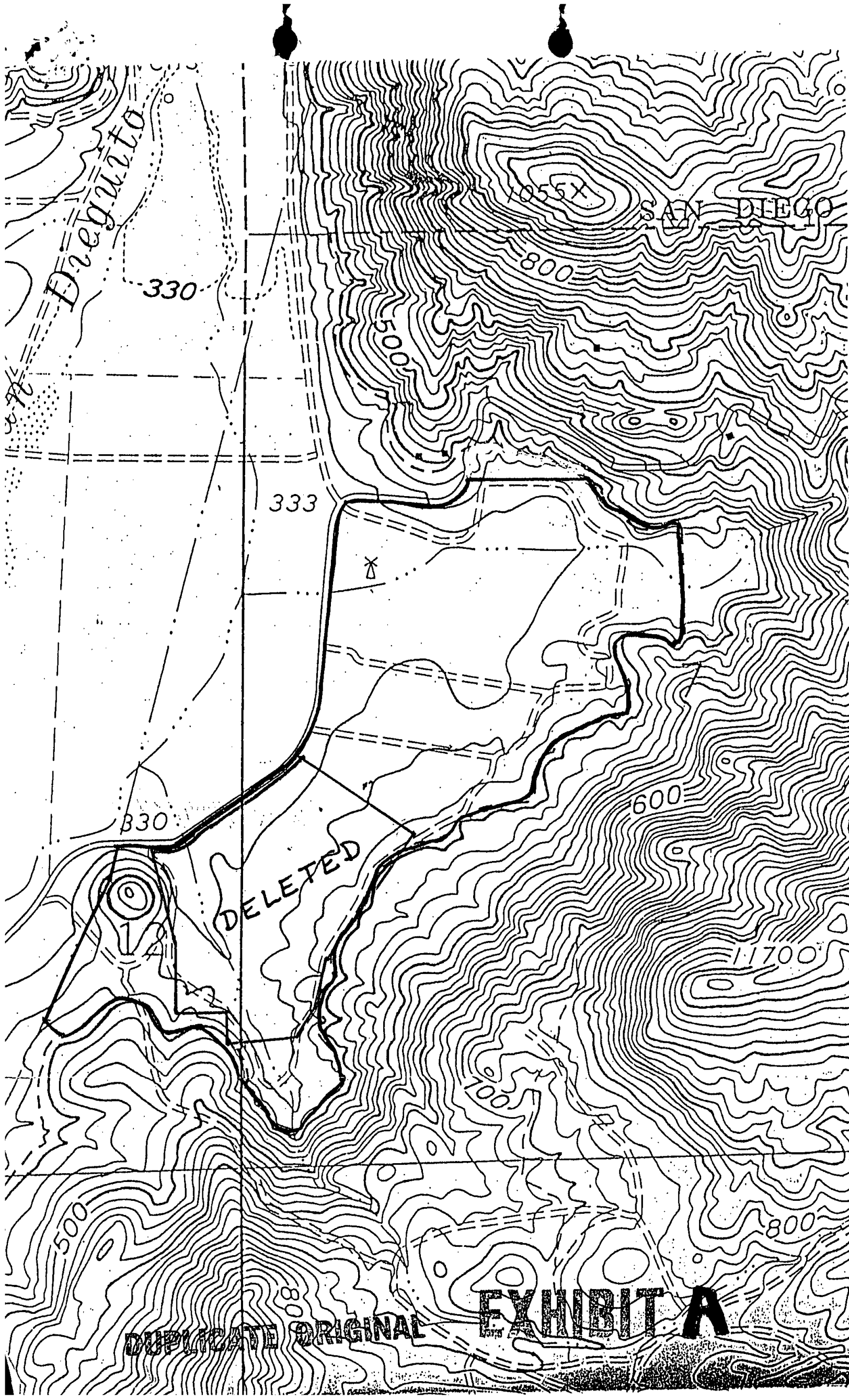
APPROVED AS TO FORM AND LEGALITY THIS 7 DAY OF June, 1989.

JOHN W. WITT, City Attorney

By [Signature]
Deputy City Attorney

WRK:st(62-2)
3-23-89

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EXHIBIT A