

FIRST AMENDMENT TO LEASE AGREEMENT

THIS FIRST AMENDMENT TO LEASE AGREEMENT ("First Amendment") is entered into as of 9/24/08, by and between PACIFIC BELL, a California corporation, "Lessor," and the CITY OF SAN DIEGO, a municipal corporation ("City"), "Lessee".

Recitals

A. Pacific Bell as lessor, City, as lessee, entered into that certain CITY OF SAN DIEGO FLAT RATE LEASE by and between PACIFIC BELL and CITY filed with the Office of the City Clerk, San Diego, California, on January 28, 1991, as Document No. 00-17592 ("Agreement"), pursuant to which the City was to have use of a portion of Black Mountain, (approximately 1,704 square feet) for use as a communications facility for a term of 20 years with one 10-year renewal option.

B. Pacific Bell and the City desire to modify and amend the Agreement on the terms and conditions set forth in this First Amendment.

NOW, THEREFORE, in consideration of the promises and covenants contained in this First Amendment, Pacific Bell, Lessor, and the City of San Diego, Lessee, agree as follows:

Agreement

1. Premises. The development of various structures as mentioned in Section 1.02 Uses necessitates the adjustment of said premises as set forth in Exhibit "A". Section 1.01 "Premises" is to be amended by replacing Exhibit "A" with Exhibit "A-1".

Exhibit "A-1" includes the two areas as shown which total approximately 1,704 square feet. These areas include a communications tower approximately ninety (90) feet high, (2) single-story pre-engineered buildings of approximately twelve (12) feet by twenty-four (24) feet, and the small fenced area shown as approximately 15 feet by 8 feet.

Said real property is hereinafter called the "premises" or "leased premises".

2. Ratification of Agreement. Except as modified by this First Amendment, all provisions of the Agreement shall remain in full force and effect, and are hereby ratified by the parties to this First Amendment.

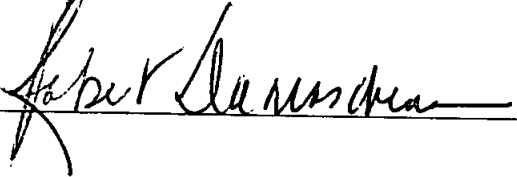
LESSEE: CITY OF SAN DIEGO

Date: 9/19/08

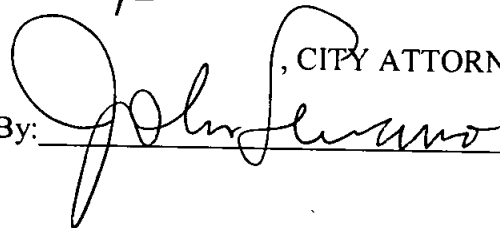
By: 
James F. Barwick, CCIM
Director, Real Estate Assets

LESSOR: PACIFIC BELL TELEPHONE
COMPANY

Date: 8-29-08

By: 

APPROVED as to form and legality this 24th day of Sept 2008

By: , CITY ATTORNEY

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1" = 10'

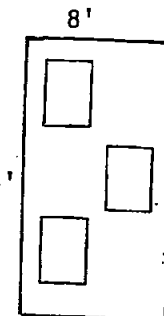
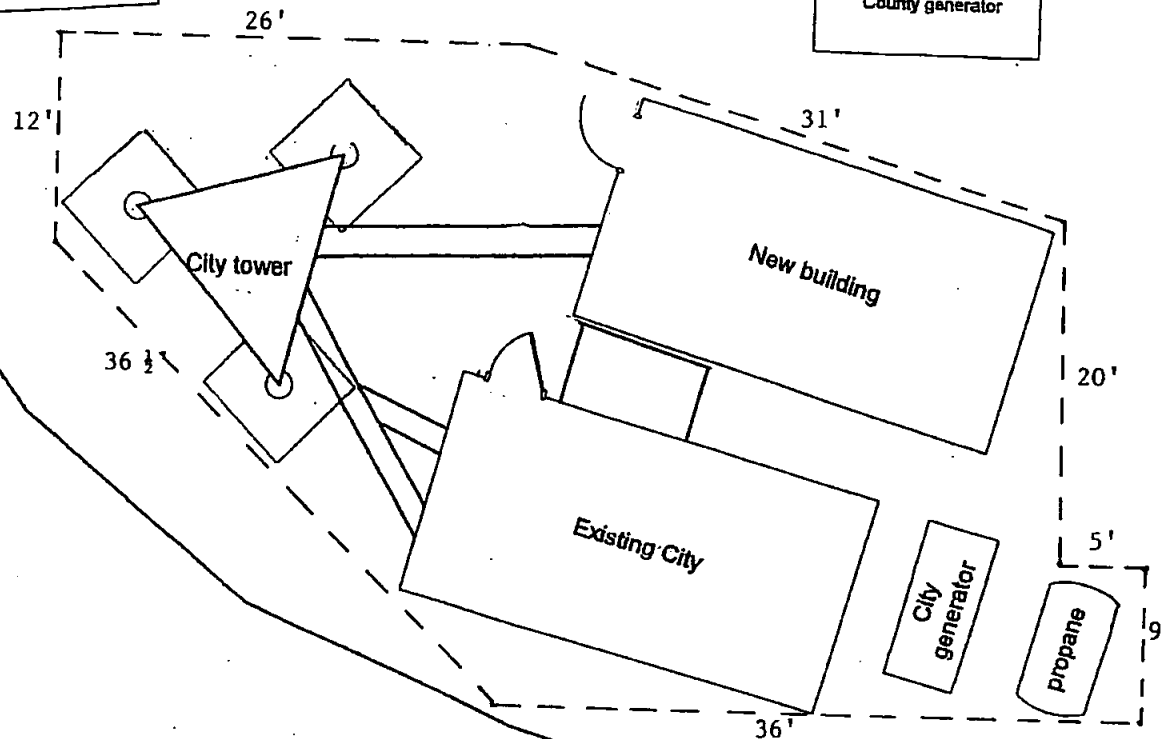
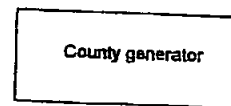
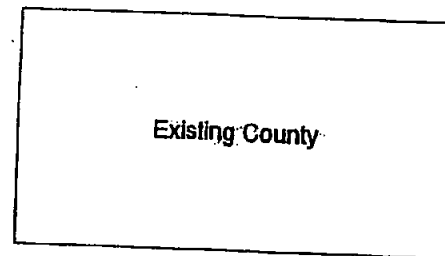
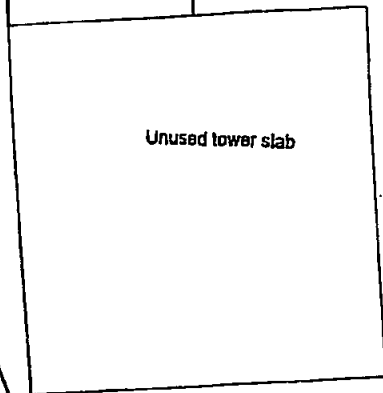


EXHIBIT A-1