

FIRST AMENDMENT TO CITY OF SAN DIEGO USE AND OCCUPANCY PERMIT
(CUOP)

This First Amendment to CUOP ("PERMIT") is entered into between the City of San Diego ("CITY") and Jimmy Johnson Chevrolet, a California Corporation ("PERMITTEE") with reference to the following Recitals:

- A. WHEREAS, CITY AND PERMITTEE entered into an agreement effective December 15, 2008, which is cancelable with 60 day written notice by the City and or Permittee pursuant to Section 8 of the PERMIT.

NOW, THEREFORE, in consideration of the above Recitals and the mutual obligations of the Parties as herein expressed, CITY and PERMITTEE agree to amend the PERMIT as follows:

1. Delete Section E, Monthly Rent, and replace it with the following:

1-1-2009 – 12-31-2009	\$6534.00
1-1-2010 – 12-31-2010	\$6861.00
1-1-2011 – 12-31-2011	\$7203.00
2. Replace Exhibit "A" with the attached Exhibit B in Section A "Permit Area" of the CUOP.
3. This First Amendment shall be effective on December 22, 2008.
4. Permit Use shall be modified to add the Permittee shall not wash or perform any mechanical work on any vehicles.
5. Section 19 shall be modified that City shall not be responsible for any rent credit to Permittee. Permittee shall install, at Permittees sole cost and expense, a fence to demise the Permit area as shown in Exhibit B. At the expiration or early termination of this Permit, the fence will be the property of the City, or removed by Permittee at the sole discretion of the City.
6. Nothing in this First Amendment is intended to modify or alter any other terms of the PERMIT. All other terms and conditions of the PERMIT shall remain in full force and effect.

IN WITNESS WHEREOF, this ^{FIRST} ~~Second~~ Amendment is executed by CITY, acting by and through its Mayor, and PERMITTEE, acting by and through its lawfully authorized officers.

CITY OF SAN DIEGO

Date: 12/15/08

By: David A. Howard

PERMITTEE: JIMMY JOHNSON CHEVROLET

Date: 12/18/08

By: Jimmy Johnson GM

APPROVED AS TO FORM AND LEGALITY THIS DAY
OF May 11, 2009. (K)

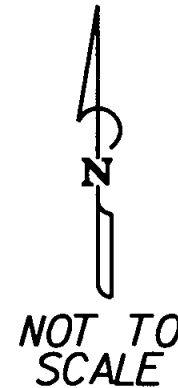
JAN I. GOLDSMITH, City Attorney

Date: 5/11/09

By: Brock LaBrewig
DEPUTY CITY ATTORNEY

RN/cb
12-18-08
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EXHIBIT B



COPLEY LEASES AS OF 12/18/2008

