

FIRST AMENDMENT TO CITY OF SAN DIEGO RIGHT OF ENTRY PERMIT

THIS FIRST AMENDMENT TO CITY OF SAN DIEGO RIGHT OF ENTRY PERMIT ("First Amendment") is made by and between the CITY OF SAN DIEGO, a California municipal corporation ("City"), and SAN DIEGO COUNTY REGIONAL AIRPORT AUTHORITY, or its designated agents ("Permittee").

RECITALS

- A. WHEREAS, City, and Permittee, are parties to that certain CITY OF SAN DIEGO RIGHT OF ENTRY PERMIT (the "Permit") dated March 26, 2008, relating to CITY-owned real property located at the intersection of McCain Road and North Harbor Drive consisting of approximately 44,250 square feet, and more specifically described in the "Exhibit "A" Permit Area", attached thereto.
- B. WHEREAS Permittee would like to extend the term of the Permit to an eighteen months term. Due to a change in Permittee's original construction schedule, Permittee has requested City grant it an extension of the Permit through August 30, 2010, or upon completion of Permittee's project and acceptance by City, whichever occurs first.

NOW THEREFORE, City and Permittee agree as follows:

- 1. "Section 4. Effective Date" of the Permit is changed to include a new expiration date of **August 30, 2010**.

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DUPLICATE-ORIGINAL

2. No Other Changes. All other terms and conditions of the Permit shall remain in full force and effect.

IN WITNESS WHEREOF, this First Amendment shall be effective upon execution by City and Permittee, and as of the approval date of the City Attorney.

Date: 5/6/09

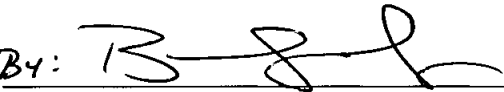
THE CITY OF SAN DIEGO, a California municipal corporation

BY: 
Name: _____
Title: _____

APPROVED AS TO FORM AND LEGALITY:

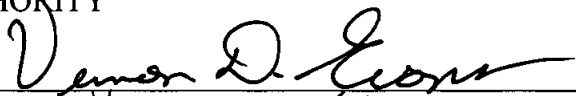
Date: 5/6/09

JAN I. GOLDSMITH, City Attorney

BY: 
BROCK LATHEN, DEPUTY CITY ATTORNEY

Date: 04/27/09

SAN DIEGO COUNTY REGIONAL AIRPORT
AUTHORITY

BY: 
Name: VERNON D. EVANS
Title: VICE PRESIDENT, FINANCE/TREASURER

APPROVED AS TO FORM AND LEGALITY:

Date: 4/17/09

AMY GONZALEZ, Permittee Attorney

 for