

DUPLICATE

FIRST AMENDMENT TO LEASE AGREEMENT

THIS FIRST AMENDMENT is executed by and between the CITY OF SAN DIEGO, a municipal corporation, (CITY) and AVIATION INTERNATIONAL CORPORATION, dba, AVIATION INTERNATIONAL, (LESSEE).

WITNESSETH

WHEREAS, by Lease Agreement executed by CITY on December 1, 1998 and filed in the office of the City Clerk as document number RR-290937, CITY leased to LESSEE certain real property on Brown Field Airport, in the City of San Diego, County of San Diego, State of California, more particularly described in said Agreement, and

WHEREAS, the parties hereto desire to amend said AGREEMENT by adding 1.2 acres of contiguous land south of Curran Street to the leased premises, (hereinafter the "Southern Area") shown on the attached Exhibit A-2, and by reference made part of this Amendment.

NOW, THEREFORE, CITY AND LESSEE hereby agree as follows:

I. Section 1.1, Premises, is hereby modified to include the addition of the "Southern Area" as shown in Exhibit A-2, attached hereto and made part of this AMENDMENT. The "Southern Area" includes a portion of Building 2,278 and all of Building 2012.

II. Section 3.02.a, Rent, is hereby deleted and the following substituted therefore:

3.02.a, Rent Amount. The parties agree, that effective December 1, 1999 the amended rent is One Thousand and Seven Hundred Twenty-eight Dollars, (\$1,728).

III. As set forth in the AGREEMENT, rent shall be adjusted December 1, 2008, again on December 1, 2018 and finally on December 1, 2028 to reflect market conditions. Said rent is also subject to adjustments, if any, in the Consumer Price Index (CPI) as provided in the AGREEMENT, (December 1, 2003, December 1, 2013 and December 1, 2023).

IV. Nothing in this AMENDMENT is intended to amend any other covenant or condition of said AGREEMENT, other than those amended above.

DOCUMENT NO. RR-294450
FILED JAN 16 2001
CLERK OF THE CITY CLERK
SAN DIEGO, CALIFORNIA

V. Regardless of the date this AMENDMENT is signed by the parties, this AMENDMENT to said AGREEMENT will become effective on December 1, 1999

IN WITNESS WHEREOF, this First Amendment to Lease Agreement is executed by CITY acting through its City Manager and LESSEE on the date set forth below.

THE CITY OF SAN DIEGO

Date: 1/18/01

By: Tracy R. Means
~~C.V. Svensson, C.P.M.~~
~~Supervising Property Agent~~
Deputy Director

AVIATION INTERNATIONAL

Date: 3/1/00

By: Juan Escalante
Juan Escalante, President

Approved as to form and legality this 2nd day of April, 2000, ~~1999~~

CASEY GWINN, City Attorney

By: Debra J. Lewis
~~Deputy City Attorney~~

This action is exempt per CEQA 15301
REVIEWED AND APPROVED:

Date: 10/6/00

By: Sharon Toran
Senior Planner, E.A.S.

EXHIBIT "A-2"

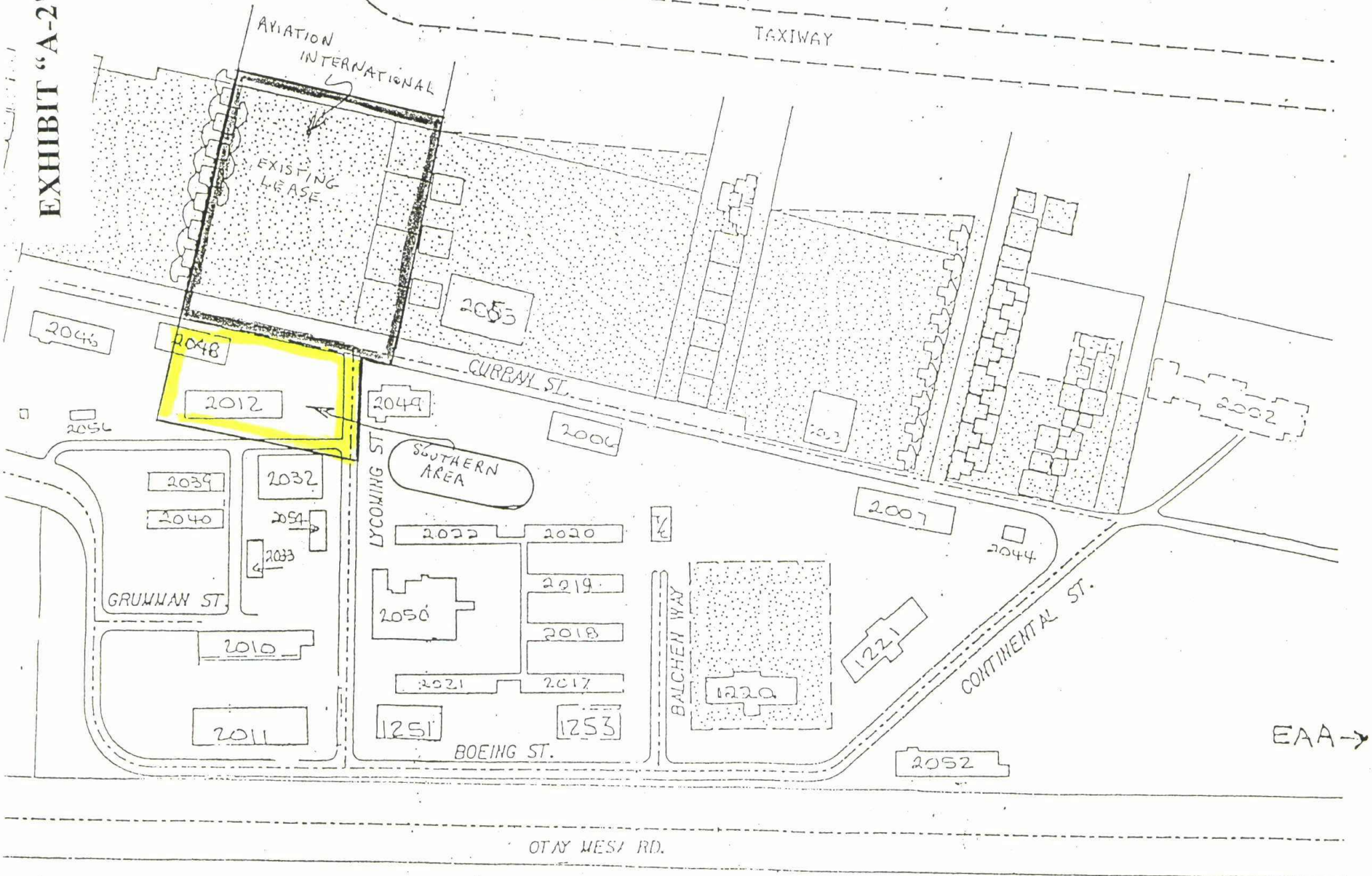
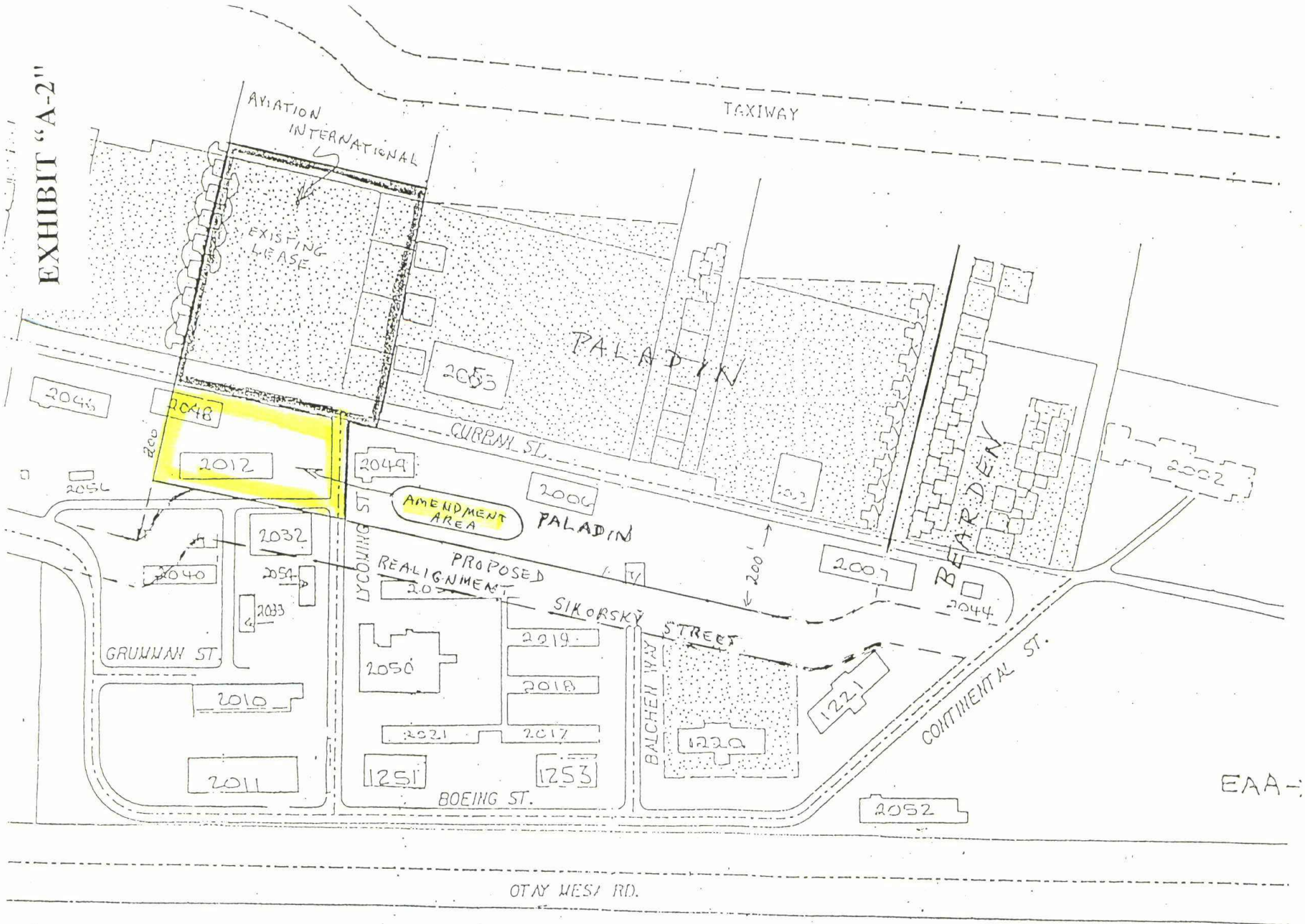


EXHIBIT "A-2"



RESOLUTION NUMBER R- 294450

ADOPTED ON JAN 16 2001

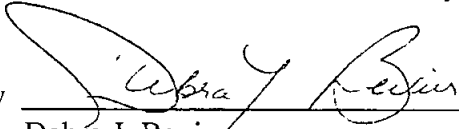
WHEREAS, the City of San Diego and Aviation Consulting International Corporation, d/b/a Aviation International, ("Aviation International") have negotiated a First Amendment to Lease Agreement which will expand the area currently being leased for a fixed based operation (FBO) at Brown Field Airport from 2.56 acres to the new total leasehold area of 3.76 acres; and

WHEREAS, the First Amendment to Lease Agreement will increase the rent by \$6,618 per year, resulting in a new annual rent of \$20,736.00, to be adjusted to reflect changes in the Consumer Price Index at the end of the fifth, fifteenth and twenty-fifth years. The leasehold will also be appraised at the end of the tenth, twentieth and thirtieth years to reflect market rates; and

WHEREAS, the lease period for the additional 1.2 acres will be coterminous with the original lease, terminating November 30, 2033; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that the Assistant City Manager is authorized to execute, for and on behalf of the City of San Diego, the First Amendment to Lease Agreement with Aviation International, for an expanded leasehold area of 3.76 acres, at the base rent of \$20,736.00 per year, under the terms and conditions set forth in that First Amendment to Lease Agreement on file in the office of the City Clerk as Document No. RR- 294450.

APPROVED: CASEY GWINN, City Attorney

By 
Debra J. Bevier,
Deputy City Attorney

DJB:jc
12/20/00
01/04/01 Cor. Copy
Or.Dept:REA
Aud.Cert: N/A
R-2001-1003
Form=r-t.frm

Passed and adopted by the Council of San Diego on JAN 16 2001 by the following vote:

YEAS: PETERS, WEAR, ATKINS, STEVENS, MAIENSCHIN, MADAFFER,
MAYOR MURPHY.

NAY: NONE

VACANT: DISTRICT 8

NOT PRESENT: STALLINGS

AUTHENTICATED BY:

SUSAN GOLDING

Mayor of The City of San Diego, California

CHARLES G. ABDELNOUR

City Clerk of The City of San Diego, California

(SEAL)

By: Esther Ramos, Deputy

I HEREBY CERTIFY that the above and foregoing is a full, true and correct copy of
RESOLUTION NO. R- 294450, passed and adopted by the Council of The City of San
Diego, California on JAN 16 2001.

CHARLES G. ABDELNOUR

City Clerk of The City of San Diego, California

(SEAL)

By: Esther Ramos, Deputy