

SECOND AMENDMENT TO LEASE AGREEMENT

THIS AGREEMENT is executed by and between the CITY OF SAN DIEGO, a municipal corporation, (CITY) and BROWN FIELD AVIATION VENTURES, (LESSEE).

WITNESSETH

WHEREAS, by lease agreement executed by the City on December 1, 1996 and recorded in the office of the City Clerk as document number 00-18361, CITY leased to Brown Field Aviation Ventures 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 Lease Agreement, and

WHEREAS Section 11.2, Site Plan, ¶3 of said lease provides that lease boundaries may be modified by mutual agreement of the parties to accommodate realignment of streets and taxiways, (see Exhibit "B" attached hereto for reference) and

WHEREAS, the parties hereto desire to amend said Lease Agreement by adding 1.78 acres to the leased premises, shown as parcel "G" on the attached Exhibit "A" and by reference made part of this amendment. The proposed addition to the lease will allow LESSEE to develop ramp space south of Curran Street and provide taxiway access from the new ramp area to the runways.

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

I. Section 1.1, Premises, is hereby modified to include the addition of Parcel "G" as shown in the revised Exhibit "A" attached hereto and made part of this agreement.

II. Section 3.2, a. Rent, is hereby deleted in its entirety and the following substituted therefore:

3.02.a Rent Amount: The amended rent is Seven Thousand, Six Hundred and One dollars, (\$7,601) per month, comprised of 18.98 acres of land @\$350 per acre; plus 2,075 sq. ft. of office space in Bldg. 2002 @ .05 = \$103.75; plus 10,234 sq. ft. of office space in Bldg. 1221 @ .05 = \$512; plus 3,424 sq. ft. in Bldg. 2005 @ .05 = \$171.20, plus 3,424 sq. ft. in Bldg. 2006 @ .05 = \$171.20.

Rent shall be renegotiated at the end of the tenth, twentieth and thirtieth years to reflect market conditions, subject to arbitration as hereinafter provided. Said rent is also subject to adjustments based on increases, if any, in the Consumer Price Index (CPI) as hereinafter provided.

III. Nothing herein is intended to amend any other covenant or condition of said Lease Agreement.

IV. This Amendment to said Lease Agreement when executed by CITY shall become effective on June 7, 1997.

DOCUMENT NO. 06-18361-2
FILED JUN 13 1997
OFFICE OF THE CITY CLERK
SAN DIEGO, CALIFORNIA

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

THE CITY OF SAN DIEGO

Date: 5-23-97

By: Tracy L. Williams
Tracy L. Williams, A.A.E.
Deputy Director of Airports

BROWN FIELD AVIATION VENTURES

Date: 5/23/97

By: Bruce Young

APPROVED as to form and legality this 4th day of June, 1997

Casey G. Gwinn, City Attorney

By: [Signature]
Deputy City Attorney

Reviewed and Approved:

By: John Kline SR PLANNER/EAS
Environmental Analysis Planner
6/13/97

EXHIBIT "A"

Includes areas A, B, C, D, E and F + H.
Total area approx 17.4 Acres

