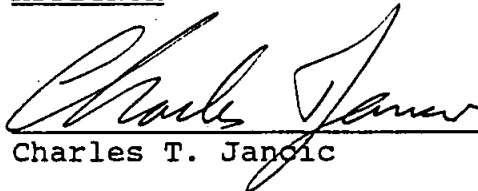


LEASE ASSIGNMENT, ASSUMPTION AND CONSENT

ASSIGNMENT

FOR A VALUABLE CONSIDERATION, the receipt and adequacy of which are hereby acknowledged, the undersigned, **CHARLES T. JANCIC**, an individual ("Assignor"), effective as of February 16, 1996 (the "Effective Date"), does hereby irrevocably transfer, convey and assign to **BORDIER'S NURSERY, INC.**, a California corporation ("Assignee") with an office located at 7231 Irvine Boulevard, Irvine, California 92714, all of its right, title and interest as lessee in and to Parcel 2 of the "leased premises" (as defined in the Lease) of that certain Flat Rate Lease dated December 15, 1986, between **THE CITY OF SAN DIEGO**, a municipal corporation ("City") as lessor and Assignor as lessee (Document No. RR-267334), as amended by that certain First Amendment to Lease Agreement dated December 7, 1987 (Document No. RR-269921) (collectively, the "Lease"), a copy of which was previously delivered to Assignee. Such Parcel 2 is comprised of approximately 170 acres of land (the "Parcel"). This assignment is subject to the agreement of Assignor and Assignee herein that with respect to Section 7.12 a. of the Lease, the use of the quantity of water described in that Section shall be allocated based on the number of acres contained in the Parcel. All of the rights, privileges, terms and conditions of the Lease applicable to Parcel 2 are hereby assigned to Assignee (the "Assigned Lease"). The rights, privileges, duties and obligations of Assignee under the Assigned Lease shall be separate and distinct from those of Assignor with respect to the remaining land retained by Assignor subject to the Lease and neither Assignor nor Assignee shall have any liability for any nonperformance of the duties and obligations of the other under the Lease.

ASSIGNOR


Charles T. Jancic

DOCUMENT NO. C-07662

FILED DEC 31 1996
OFFICE OF THE CITY CLERK
SAN DIEGO, CALIFORNIA

ASSUMPTION

FOR A VALUABLE CONSIDERATION, the receipt and adequacy of which are hereby acknowledged, the undersigned, Assignee, named in the foregoing Assignment hereby accepts the foregoing Assignment of the Assigned Lease and agrees as of the Effective Date, to keep, perform directly to City and be bound by all of the terms, covenants and conditions contained in said Assigned Lease on the part of the lessee therein to be kept and performed and to assume the obligations of lessee thereunder which first accrue or are to be performed or satisfied on or after the Effective Date, to all intents and purposes as though the undersigned Assignee were the original lessee thereunder.

ASSIGNEE

BORDIER'S NURSERY, INC., a
California corporation

By:



Title:

President

CONSENT OF CITY

Pursuant to Section 4.02 of the Lease, City hereby consents to the assignment by Assignor to Assignee and the forgoing assumption by Assignee, of the Assigned Lease referred to in the foregoing Assignment effective as of the Effective Date. This consent by City shall not be deemed a waiver of City's rights as provided in the Lease to consent to future assignments. All notices to Assignee sent under the Assigned Lease shall be sent to the address set forth above.

CITY

THE CITY OF SAN DIEGO, a municipal corporation

By:

Jose E. Vukobratovic
City Manager

APPROVED AS TO FORM

11/27/96

By:

W. H. Hildreth

Title: Deputy City Attorney

RECEIVED
CITY CLERK'S OFFICE
96 DEC 24 AM 11:20
San Diego, Calif.

Post-It® Fax Note	7671	Date	5/15	# of pages	1
To	Bill Svensson	From	Charlie Jancic		
Co./Dept.	Ag. 1721	Co.			
Phone #		Phone #	487-5992		
Fax #	236-6706	Fax #			

MEMORANDUM OF AGREEMENT
PTF, Inc. & BORDIER'S NURSERY, Inc.

May 15, 1996

PTF, Inc. (formerly Pinery Tree Farms, Inc.) and
 Pinery Tree Farm (now a division of Bordier's Nursery, Inc.)
 agree as follows:

Allocation of Rent:

Pursuant to the lease assignment of parcel 2 of lease document No. RR-267334 to Bordier's Nursery, Inc. by Charles T. Jancic the parties agree to divide the rent as follows: Bordier's will pay 70% of the total due on the entire lease. Currently that total is \$14,502.94 and Bordier's share is \$10,152.06, leaving \$4,350.60 allocated to Charles Jancic and paid by PTF, Inc.

Allocation of Water Charges:

Bordier's will pay all costs associated with the following wells which are located on parcel 2:

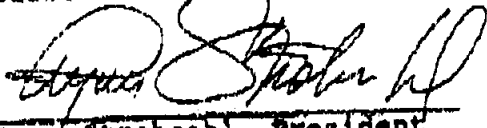
1. Deep Well @ 18597 Sycamore Creek Rd. SDG&E meter 1166416
2. North Well @ 18597 Sycamore Creek Rd. SDG&E meter 1166416
3. South Well @ 18485 Sycamore Creek Rd. SDG&E meter 1031304
4. Hillside well @ 13701 Highland Valley Rd. SDG&E meter 0982396

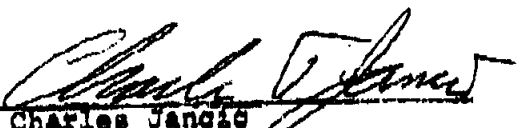
PTF, Inc will pay all costs of the following sources:

1. Aqueduct connection (City Acct. No 000547) currently charged at \$434.00 /AF.
2. Main well @ 13420 Highland Valley Rd. SDG&E meter 49329709

PTF, Inc and Bordier's will internally account for any water charges or uses which are necessary due to cross connections between parcel 2 and other parcels. It is anticipated that complete separation of water systems will be possible in the future.

PTF and Bordier's will report separately the well water use and request that City bill Bordier's under their division name of Pinery Tree Farm at 12450 Highland Valley Rd. Escondido, 92025, ATTN: Robert Vierling and that PTF be billed at the same address, ATTN: Charles Jancic.


 Lynn Strohsahl, President
 Bordier's Nursery, Inc.


 Charles Jancic
 President, PTF, Inc.

A472242

CERTIFICATE OF AMENDMENT
OF
ARTICLES OF INCORPORATION
OF
PINERY TREE FARMS, INC.,
a California corporation

ENDORSED
FILED

In the office of the Secretary of State
of the State of California

FEB 22 1996

Bill Jones
BILL JONES, Secretary of State

Charles T. Jancic, does hereby certify that:

1. He is the president and secretary of Pinery Tree Farms, Inc., a California corporation.
2. The following amendment to the articles of incorporation have been approved by the Board of Directors of Pinery Tree Farms, Inc., a California corporation:

Article ONE is amended to read as follows:

"The name of the corporation is "P.T.F., INC."

3. The foregoing amendment to the articles of incorporation have been duly approved by the required vote of shareholders in accordance with Section 902 of the Corporations Code. The total number of outstanding shares entitled to vote with respect to the amendments were Three Thousand Five Hundred shares (3,500). The number of shares voting in favor of the amendment equaled or exceeded the vote required. The percentage vote required was more than fifty percent (50%).

The undersigned declares under penalty of perjury under the laws of the State of California that the matters set forth in this certificate are true and correct of his/her/their own knowledge and this declaration was executed on February 15, 1996, at San Diego, California.

Charles T. Jancic
Charles T. Jancic, President

Charles T. Jancic
Charles T. Jancic, Secretary

A472242



SECRETARY OF STATE

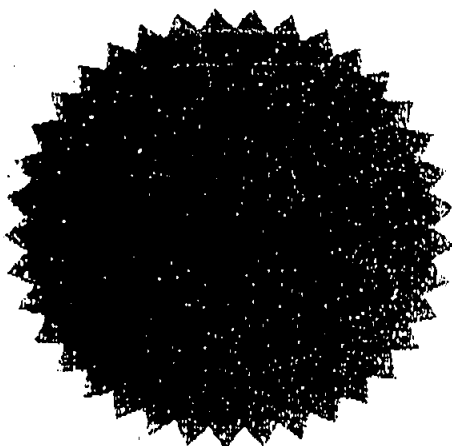
CORPORATION DIVISION

I, *BILL JONES*, Secretary of State of the State of California, hereby certify:

That the annexed transcript has been compared with the corporate record on file in this office, of which it purports to be a copy, and that same is full, true and correct.

IN WITNESS WHEREOF, I execute this certificate and affix the Great Seal of the State of California this

FEB 26 1996



Bill Jones

Secretary of State

RECEIVED
JUL 10 1996
REALESTATEASSETS

1. *Chlorophyll a* (Chl *a*) is the primary photosynthetic pigment in most plants and algae. It is a green pigment that absorbs light energy in the blue and red regions of the visible spectrum.

REQUEST FOR COUNCIL ACTION

CITY OF SAN DIEGO

1. CERTIFICATE NUMBER:

TO:

CITY ATTORNEY

2. FROM: (ORIGINATOR)

PROPERTY DEPARTMENT/AGRICULTURAL LEASE
MANAGER

3. DATE

November 26, 1986

4. SUBJECT:

Land Exchange With Witman Ranch, Inc.

5. PREPARATION OF:



RESOLUTION(S)



ORDINANCE(S)



AGREEMENT(S)



DEED(S)

Authorizing the City Manager to execute the following document:

Second amendment to Witman Ranch lease agreement.

First amendment to Sloop & Witman lease agreement, Document 71346.

Second amendment to Sloop & Witman lease agreement, Document 721611.

Third amendment to Sloop & Witman lease agreement, Document 694595.

Fourth amendment to Rancho De La Loma lease agreement.

First amendment to San Pasqual Academy lease agreement.

Witman Ranch lease agreement for 507 acres for growing crops.

Witman Ranch lease agreement for 30 acres for growing citrus trees.

Witman Ranch lease agreement for 25 acres for growing citrus trees.

Charles T. Jancic lease agreement for 222 acres for operating a wholesale nursery.

COUNCIL DISTRICT: 1

COMMUNITY AREA: San Pasqual Valley

**REPORT
TO
COUNCIL**

REPORT TO COUNCIL

6. SUPPORTING INFORMATION: (INCLUDE ONLY INFORMATION NOT COVERED ON FORM 1472A, "DOCKET SUPPORTING INFORMATION".)

ACTION REQUESTED BY: Property Director

DOCUMENTS SUBMITTED: Original and 5 copies of amendments and leases

DESCRIPTIVE LOCATION: San Pasqual Valley

ENVIRONMENTAL ASSESSMENT: This activity is exempt from CEQA, pursuant to Section
15061(b)(3) of the State CEQA Guidelines.HANDLING: DO NOT RECORD. Deliver documents to Property Department, Attention
Bill Knowles, MS 51A, for further handling.

7. FOR INFORMATION CONTACT:

(NAME & MAIL STA.)

BILL KNOWLES

51A

8. TELEPHONE NO.

5548

9. CHECK IF "DOCKET SUPPORTING
INFORMATION" ATTACHED ☐

10. COMPLETE FOR ACCOUNTING PURPOSES:

	BUDGETED	UNBUDGETED
FUND/DEPT.		
ORGANIZATION		
OBJECT/ACCOUNT		
JOB ORDER		
WORK ORDER NO.		
C.L.P. NO.		
FACILITY		
AMOUNT		

(12) ESTIMATED COST:

Job: 490001

cc: Docket

REDI BOOK PAGE 223

THOMAS BROS. MAPS PAGE 404

hb

00076

11. ROUTING AND APPROVALS

ROUTE (1)	APPROVED AUTHORITY	APPROVAL	DATE SIGNED
✓	DEPARTMENT DIRECTOR	<i>[Signature]</i>	12/1/86
X	CLEARING AUTH. FOD	<i>[Signature]</i>	12/2/86
	CLEARING AUTH.		
	CLEARING AUTH.		
	CLEARING AUTH.		
	CLEARING AUTH.		
	CLEARING AUTH.		
X	DEPUTY CITY MANAGER	<i>[Signature]</i>	12-4-86
	AUDITOR		
X	CITY ATTORNEY		
X	ORIGINATING DEPARTMENT	<i>[Signature]</i>	12/5/86
✓	Mgr. Dist. Clerk		
	Council Rep.		
	SALES COMMITTEE	☒ CONSENT ☐ ADOPTION	
	Refer to		

DOCUMENT NO. BB-267334

FILED December 15, 1986

OFFICE OF THE CITY CLERK
SAN DIEGO, CALIFORNIA

(LEAS - CHARLES T. JANCIC)

Lease agreement with Charles T. Jancic
for operating a wholesale nursery.

cc: ✓ Auditor, MS-7C
✓ Property - Knowles, MS-31A
(Dup. original & one copy)
✓ Records Center - Original
✓ County Assessor, MS-A4

2-24-87

Bapcheis

00013