

FOURTH AMENDMENT TO LEASE AGREEMENT

This Fourth Amendment to Lease Agreement dated the 9th day of JULY, 1984, made and entered into at Riviera Beach, Florida, by and between the Port of Palm Beach District, a quasi-public corporation and political subdivision of the State of Florida, organized and existing under and by virtue of Chapter 7081, Laws of Florida, Acta of 1915, and subsequent and supplemental amendatory acts thereto, hereinafter referred to as the "DISTRICT", and Birdaall, Inc., hereinafter referred to as the "CORPORATION".

WITNESSETH:

WHEREAS, the CORPORATION and the DISTRICT have previously entered into that certain Lease Agreement dated February 1, 1980, which was amended on March 18, 1980, May 1, 1980, and August 1, 1980 (hereinafter referred to as the "Lease Agreement"); and

WHEREAS, the parties hereto desire to amend the terms of said Lease Agreement to reflect the lease to the CORPORATION of certain additional warehouse area upon the terms and conditions as set forth below;

NOW, THEREFORE, in consideration of the premises and other good and valuable consideration, receipt of which is hereby acknowledged, the parties hereto agree as follows:

ORIGINAL

1. **MODIFICATION OF LEASE DESCRIPTION:** The provisions of the Lease Agreement are hereby amended by adding to the area being leased from the DISTRICT to the CORPORATION an additional 6,000 square feet of relocated warehouse area, as further described in Exhibit "A" attached hereto (hereinafter referred to as the "Additional Relocated Warehouse Space").

2. **RENT:** In addition to the rentals due under the Lease Agreement, the CORPORATION shall pay to the DISTRICT for rental of the Additional Relocated Warehouse Space, the total annual rent of Twelve Thousand (\$12,000.00) Dollars, payable in equal monthly payments in the amount of One Thousand (\$1,000.00) Dollars, together with applicable sales tax. The parties acknowledge that the Lease Agreement provides for a cost of living increase in five year intervals; however, the parties hereto agree that there shall be no cost of living increase applicable in the calendar year 1985 to the rent due on the Additional Relocated Warehouse Space; provided, however, that in the event of a proper renewal of the term of the Lease Agreement, the Additional Relocated Warehouse Space shall be subject to cost of living increases at the same times and upon the same terms and conditions as the other premises subject to the terms of the Lease Agreement.

3. **TERM:** The term of the tenancy for the Additional Relocated Warehouse Space shall commence on Aug. 1, 1984, and shall follow the same duration of the tenancy of the other premises as defined in the Lease Agreement.

4. **FEDERAL MARITIME COMMISSION:** This Fourth Amendment to Lease Agreement shall be promptly submitted to the Federal Maritime Commission via United States Mail for approval or a determination that the Federal Maritime Commission has no jurisdiction in the matter, and this Agreement shall not become effective until the later of (a) Aug. 1, 1984, or (b) such time that the Federal Maritime Commission gives its approval or determines that it does not have jurisdiction in the matter.

5. All of the terms, conditions and covenants of the Lease Agreement shall remain in full force and effect, except to the extent modified herein.

RECEIVED
84 JUL 13 NO:01
FEDERAL MARITIME
COMMISSION
THE SECRETARY

IN WITNESS WHEREOF, the parties hereto have entered into this Fourth Amendment to Lease Agreement on the days and year as set forth below.

WITNESSES:

Richard L. Irons
Richard L. Irons
F. W. Donahue
F. W. Donahue

Karen Gausto
Karen Gausto
Alan Champbell
Alan Champbell

PORT OF PALM BEACH DISTRICT

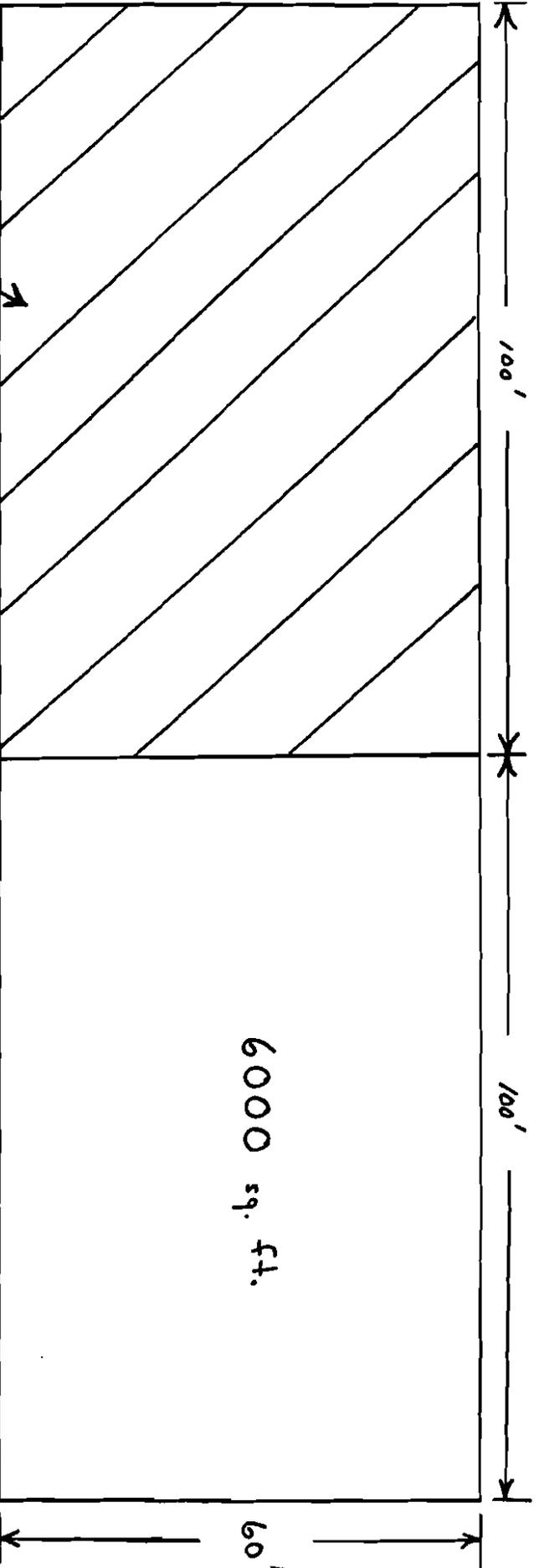
BY: *Sandy P. Klien*
Chairman Sandy P. Klien
ATTEST: *Stanley Weiss*
Secretary Stanley Weiss
[CORPORATE SEAL]

Date Executed: 9 July 1984

BIRDSALL, INC.

BY: *R. H. Birdsall, Jr.*
R. H. Birdsall, Jr., Pres.
ATTEST: *Kenneth R. Declaud*
Kenneth R. Declaud
[CORPORATE SEAL]

Date Executed: 9 July 1984



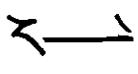
PREVIOUSLY RENTED

100'

100'

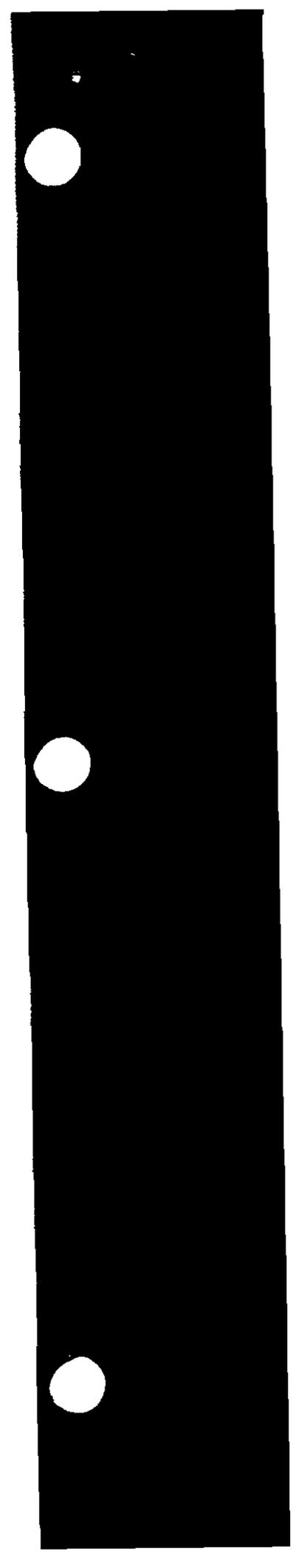
6000 sq. ft.

60'



RELOCATED WAREHOUSE

EXHIBIT A



THIRD AMENDMENT TO LEASE AGREEMENT

This Third Amendment to Lease Agreement made and entered into at Riviera Beach, Florida, effective this 14th day of AUGUST, 1980, by and between the PORT OF PALM BEACH DISTRICT, a quasi-public corporation and political subdivision of the State of Florida, organized and existing under and by virtue of Chapter 7081, Laws of Florida, Acts of 1915, and subsequent and supplemental amendatory acts thereto, with its principal place of business in Riviera Beach, Palm Beach County, Florida, hereinafter sometimes referred to as the "DISTRICT," and BIRDSALL, INC., hereinafter sometimes referred to as the "CORPORATION."

W I T N E S S E T H:

WHEREAS, the CORPORATION and the DISTRICT have previously entered into an Agreement on February 1, 1980, which was amended on March 18, 1980 and May 1, 1980; and

WHEREAS, the Federal Maritime Commission has requested an amendment to the subject Lease Agreement,

NOW, THEREFORE, THE PARTIES HERETO AGREE AS FOLLOWS:

Section 1. The Lease Agreement of February 1, 1980, as amended March 18, 1980 and May 1, 1980, is hereby further amended by amending Section 26 thereto to read as follows:

The CORPORATION recognizes that this Lease Agreement, as amended on March 18, 1980 and May 1, 1980, requires submission to and approval of the Federal Maritime Commission, and that the proposed effective date of February 1, 1980, may be extended until such time as the Lease is approved by the Federal Maritime Commission. The CORPORATION recognizes that this Lease Agreement, as amended, requires submission and approval by the Federal Maritime Commission, and that the proposed effective date of the Lease and both addendums may be extended until such approval is received. In the event such approval is not obtained, or subject to conditions unacceptable to either the DISTRICT, or the CORPORATION, then this Lease Agreement, as amended, shall be null and void.

Section 2. All of the terms and conditions of the original Lease Agreement, as amended, not in conflict herewith are hereby ratified, confirmed and adopted by the parties hereto as being in full force and effect.

IN WITNESS WHEREOF, the parties hereto have caused these presents to be executed by the respective corporate officers, who have hereunto affixed the corporate seal of each, the date below indicated, and this Third Amendment to Lease

Agreement has been executed in duplicate at Riviera Beach, Florida, and each shall be considered an original.

Executed in the presence of:

[Signature]

Rose M. Davis
As to the DISTRICT
Date Executed: 9/30/80

[Signature]

[Signature]
As to the CORPORATION
Date Executed: 9/18/80

PORT OF PALM BEACH DISTRICT

BY: [Signature]
C. Ben Holliman, Chairman

ATTEST: [Signature]
Dr. Stanley L. Weiss, Secretary
(CORP SEAL)

BIRDSALL, INC.
BY: [Signature]

ATTEST: [Signature]
(CORP SEAL)