

221-010660-003

THIRD AMENDMENT TO PERMIT NO. 529
BETWEEN THE CITY OF LOS ANGELES AND THE
INTERMODAL CONTAINER TRANSFER FACILITY
JOINT POWERS AUTHORITY

This Third Amendment to Permit No. 529 for Use of Land (the "Third Amendment to Permit") is made and entered into *Sept 10*, 1986, by and between THE CITY OF LOS ANGELES, a municipal corporation duly organized and existing under its Charter and the Constitution and the laws of the State of California ("Los Angeles"), acting by and through the Executive Director of the Harbor Department of Los Angeles and the INTERMODAL CONTAINER TRANSFER FACILITY JOINT POWERS AUTHORITY, a joint powers authority created by Los Angeles and The City of Long Beach in accordance with the laws of the State of California ("Authority").

WITNESSETH:

WHEREAS, Authority and Los Angeles have entered into a Permit for Use of Land, Los Angeles Harbor Department Permit No. 529 (the "Permit") dated September 14, 1984 as amended and supplemented by the First Amendment to the Permit dated October 3, 1984 (the "First Permit Amendment") and the Second Amendment to the Permit dated as of February 1, 1985 (the "Second Permit Amendment"); and

WHEREAS, Authority and Los Angeles desire to modify the description of the Premises, as defined in the Permit, by minor increases and decreases in the area granted by the Permit on the terms and conditions hereinafter set forth;

NOW, THEREFORE, in consideration of the foregoing recitals, which are incorporated herein by this reference, the mutual promises and agreements of the parties hereto as hereinafter set forth and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereto agree as follows:

Section 1. Exhibit A to the Permit is hereby amended in its entirety by Exhibit A to this Third Amendment to Permit, and Los Angeles hereby leases the real property described in Exhibit A hereto to the Authority pursuant to the terms and conditions set forth in the Permit, as amended and supplemented.



Section 2. This Third Amendment to Permit shall be submitted to the FMC for review or a determination by the FMC that this Third Amendment to Permit is not subject to the Shipping Act of 1984. This Third Amendment to Permit shall not be effective until it becomes effective in accordance with the Shipping Act or a finding of no jurisdiction is received by the Authority.

Section 3. This Third Amendment to Permit may be executed in any number of counterparts, each of which when so executed and delivered shall be deemed an original, but all such counterparts together shall constitute but one and the same instrument.

Section 4. It is expressly understood and agreed that this Third Amendment to Permit and all questions arising hereunder shall be construed in accordance with the laws of the State of California except to the extent such laws may be preempted by the laws of the United States.

Section 5. It is expressly understood and agreed that the changes to the Premises shall not change the rent required by the Permit.

Section 6. The Permit as amended and supplemented by the First Amendment to Permit and the Second Amendment to Permit is hereby ratified and confirmed in all respects, and all terms, conditions and provisions of the Permit as amended and supplemented, except as further amended by this Third Amendment to Permit, shall remain in full force and effect.

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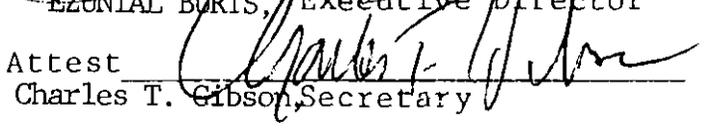
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IN WITNESS WHEREOF, the parties hereto have executed this Third Amendment to Permit on the date first hereinabove written.

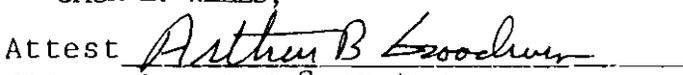
THE CITY OF LOS ANGELES, by its
BOARD OF HARBOR COMMISSIONERS

By 
EZUNIAL BURTS, Executive Director

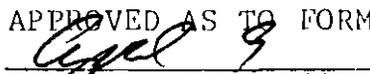
Attest 
Charles T. Gibson, Secretary

INTERMODAL CONTAINER TRANSFER
FACILITY JOINT POWERS AUTHORITY

By 
JACK L. WELLS, Executive Director

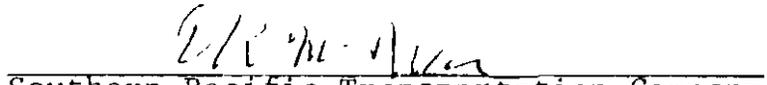
Attest 
ARTHUR B. GOODWIN, Assistant Secretary

APPROVED AS TO FORM

, 1986
JAMES K. HAHN, City Attorney

By 
GERALD F. SWAN, Assistant

Consent is hereby given to this Third Amendment to Permit.


Southern Pacific Transportation Company
D.K. McNEAR

GFS:kls
3/19/86