

**FIFTH AMENDMENT TO LEASE  
(Oxnard Marinas, L.P. Parcels F and F-1 – Channel Islands Harbor)**

THIS FIFTH AMENDMENT TO LEASE is made and entered into by and between the County of Ventura, hereinafter called “County,” and Oxnard Marinas, L.P., a California limited partnership, hereinafter called “Lessee.”

WHEREAS, the County and Lessee entered into that certain Lease approved by the County on November 21, 2006, under which the County leased an interest in real property commonly referred to as Peninsula Yacht Anchorage, more particularly described in said Lease; and

WHEREAS, said Lease was amended by the First Amendment to Lease approved by the Board of Supervisors on October 12, 2010; and

WHEREAS, said Lease was amended by the Second Amendment to Lease approved by the Board of Supervisors on January 13, 2015; and

WHEREAS, said Lease was amended by the Third Amendment to Lease approved by the Board of Supervisors on November 6, 2018; and

WHEREAS, said Lease was amended by the Fourth Amendment to Lease approved by the Board of Supervisors on December 17, 2019; and

WHEREAS, timing of the marina development is tied to the timing of the development of the adjacent hotel; and

WHEREAS, the demolition of the adjacent hotel will not begin until the latter part of 2021 as the hotel development lease has been delayed due to the impact of the COVID-19 pandemic; and

WHEREAS, the replacement of the rock revetment around the perimeter of the peninsula cannot begin until the adjacent hotel is demolished; and

WHEREAS, an agreement regarding responsibilities for the common area with the adjacent hotel developer has yet to be finalized; and

WHEREAS, an agreement regarding construction conditions with the adjacent hotel developer has yet to be finalized; and

WHEREAS, it is now the desire of the parties to modify the schedule of work to be done in the redevelopment of the leasehold; and

WHEREAS, it is necessary to change the lease lines of the leasehold to reflect the lease boundaries approved by the California Coastal Commission Notice of Impending Development (August 2011) which approved the in-water marina boundaries; and

WHEREAS, it is necessary to change the lease lines of the leasehold to reflect the lease boundaries approved by the California Coastal Commission Notice of Impending Development (August 2020) which approved the expansion of the on-land marina office facility to incorporate a new marina restroom;

NOW, THEREFORE, it is hereby agreed by and between the parties hereto as follows:

Exhibit B (Legal Description of Leased Premises) shall be deleted in its entirety and replaced with the First Revised Exhibit B attached hereto.

Exhibit E (Scope of Development and Schedule of Performance) shall be deleted in its entirety and replaced with the Fifth Revised Exhibit E attached hereto.

All other terms and conditions of said Lease, as amended, shall remain in full force and effect.

Dated: November 17, 2020

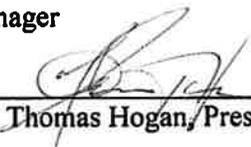
LESSEE:

Oxnard Marinas, L.P.,  
a California limited partnership

By: OM Marinas, LLC,  
a California limited liability company  
Its: General Partner

By: Pacific Marina Development, Inc.,  
a California corporation

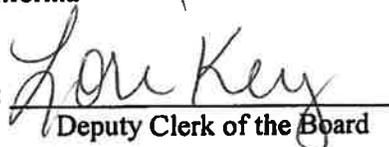
Its: Manager

By:   
Thomas Hogan, President

COUNTY OF VENTURA

By:   
Chair, Board of Supervisors

ATTEST: Michael Powers  
Clerk of the Board of Supervisors  
County of Ventura, State of  
California

By:   
Deputy Clerk of the Board



**FIRST REVISED EXHIBIT B**

**LEGAL DESCRIPTION OF LEASED PREMISES**

**EXHIBIT "B"**  
**(LEASEHOLD F / F-1 WATERSIDE AND LANDSIDE)**

That portion of lots 10, 11, 25 and 26 of the Patterson Ranch subdivision, in the City of Oxnard and in the unincorporated territory, both in the County of Ventura, State of California, as shown on the map recorded in Book 8, at Page 1 of Miscellaneous Records (Maps), in the Office of the County Recorder of said county, more particularly described as follows:

Commencing at the intersection of the centerline of the portion of Victoria Avenue (formerly West Road), 40 feet wide, as shown in the office of the County Recorder of said county in book 139, page 169 of deeds recorded November 7, 1913, with the centerline of the portion of Channel Islands Boulevard (formerly Oxnard Road), forty (40) feet wide, as shown on said map as "Oxnard Road" and described in said deed; thence North 88°47'44" West 748.66 feet along the centerline of said portion of Channel Islands Boulevard to a point; thence leaving said centerline, South 01°16' 57" West 2680.58 feet to a point on the southerly line of Parcel LM-Waterside as previously described, said point being also the **Point of Beginning**; thence along said southerly line,

- 1<sup>st</sup> North 88°09'25" East, a distance of 34.01 feet to the southeast corner of said Parcel LM-Waterside; thence along the southerly prolongation of the easterly line of said Parcel LM-Waterside,
- 2<sup>nd</sup> South 01°16'57" West, a distance of 634.84 feet to the easterly prolongation of the southerly line of Parcel F Marina as described the Lease recorded December 29, 2006 as Instrument No. 20061229-272903 in the Office of the County Recorder of said county; thence along said prolongation and southerly line,
- 3<sup>rd</sup> South 81°18'25" West, a distance of 560.99 feet to a line that is parallel with and distant 5.00 feet southwesterly of, measured at right angles from the westerly line of said Parcel F Marina; thence along said parallel line,
- 4<sup>th</sup> North 21°57'52" West, a distance of 1065.29 feet to the westerly prolongation of the northwesterly line of Parcel F-1 Marina as described in the Lease recorded December 29, 2006 as Instrument No. 20061229-272903 in the Office of the County Recorder of said county ; thence along the lines of said Parcel F-1 Marina the following five courses,
- 5<sup>th</sup> North 68°02'16" East, a distance of 76.90 feet; thence,
- 6<sup>th</sup> South 21°57'46" East, a distance of 263.59 feet; thence at right angles,
- 7<sup>th</sup> North 68°02'14" East, a distance of 5.61 feet; thence at right angles,

- 8<sup>th</sup> South 21°57'46" East, a distance of 7.00 feet; thence at right angles,
- 9<sup>th</sup> South 68°02'14" West, a distance of 5.61 feet to the northwesterly prolongation of the northeasterly line of the westerly portion of said Parcel F Marina; thence along said northwesterly prolongation and northeasterly line of said Parcel F Marina the following twenty nine courses,
- 10<sup>th</sup> South 21°57'46" East, a distance of 303.73 feet; thence at right angles,
- 11<sup>th</sup> North 68°02'14" East, a distance of 6.13 feet; thence at right angles,
- 12<sup>th</sup> South 21°57'46" East, a distance of 7.00 feet; thence at right angles,
- 13<sup>th</sup> South 68°02'14" West, a distance of 6.13 feet; thence at right angles,
- 14<sup>th</sup> South 21°57'46" East, a distance of 133.21 feet; thence,
- 15<sup>th</sup> North 82°08'36" East, a distance of 71.90 feet; thence at right angles,
- 16<sup>th</sup> North 07°51'24" West, a distance of 6.14 feet; thence at right angles,
- 17<sup>th</sup> North 82°08'36" East, a distance of 7.00 feet; thence at right angles,
- 18<sup>th</sup> South 07°51'24" East, a distance of 6.14 feet; thence at right angles,
- 19<sup>th</sup> North 82°08'36" East, a distance of 136.94 feet; thence at right angles,
- 20<sup>th</sup> North 07°51'24" West, a distance of 7.53 feet; thence at right angles,
- 21<sup>st</sup> North 82°08'36" East, a distance of 7.00 feet; thence at right angles,
- 22<sup>nd</sup> South 07°51'24" East, a distance of 7.52 feet; thence at right angles,
- 23<sup>rd</sup> North 82°08'36" East, a distance of 101.12 feet; thence at right angles,
- 24<sup>th</sup> North 07°51'24" West, a distance of 8.00 feet; thence at right angles,
- 25<sup>th</sup> North 82°08'36" East, a distance of 7.80 feet; thence at right angles,
- 26<sup>th</sup> South 07°51'24" East, a distance of 8.00 feet; thence,
- 27<sup>th</sup> North 11°02'43" East, a distance of 82.96 feet; thence,
- 28<sup>th</sup> North 55°47'12" East, a distance of 29.83 feet; thence,
- 29<sup>th</sup> North 20°40'49" East, a distance of 52.13 feet; thence,

- 30<sup>th</sup> South 69°18'08" East, a distance of 30.51 feet; thence,  
31<sup>st</sup> North 20°41'52" East, a distance of 132.00 feet; thence,  
32<sup>nd</sup> South 69°06'56" East, a distance of 14.31 feet; thence at right angles,  
33<sup>rd</sup> North 20°41'52" East, a distance of 65.58 feet to the westerly prolongation  
of the before described 1<sup>st</sup> course; thence along said prolongation,  
34<sup>th</sup> South 88°09'25" East, a distance of 95.34 feet to the **Point of Beginning**.

The above described parcel of land is delineated on the attached Exhibit "B".



Maren Cartellieri  
PLS 8606

11-04-2020

Date

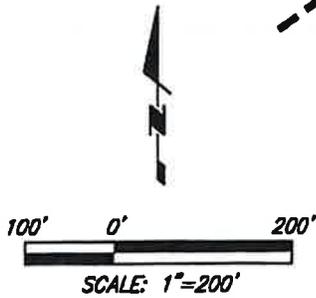
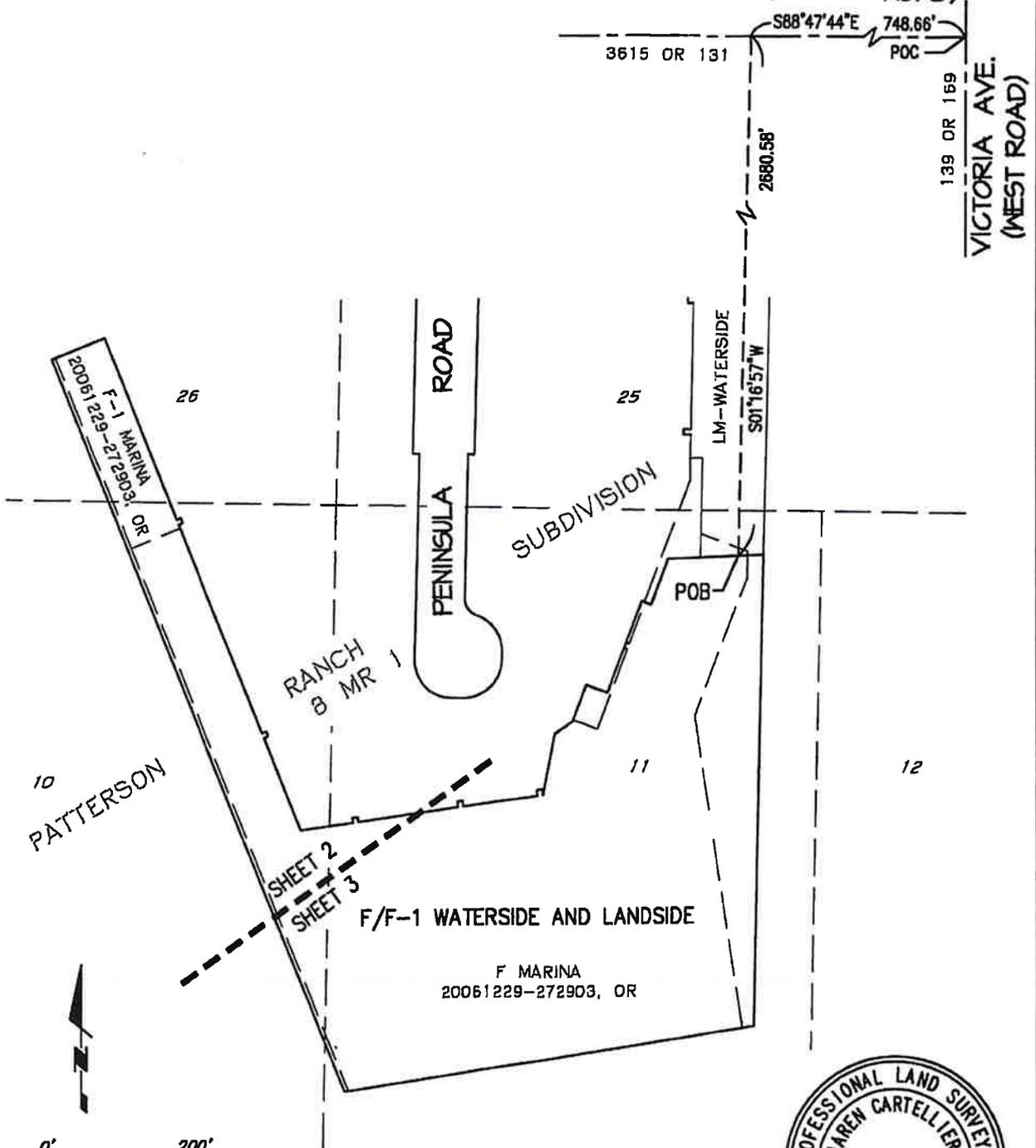


# EXHIBIT "B"

SHEET 1 OF 3

## LEASEHOLD F/F-1 WATERSIDE AND LANDSIDE

### CHANNEL ISLANDS BLVD. (OXNARD ROAD)



*Maren Cartellieri* 11-04-2020

MAREN CARTELLIERI  
PLS 8606

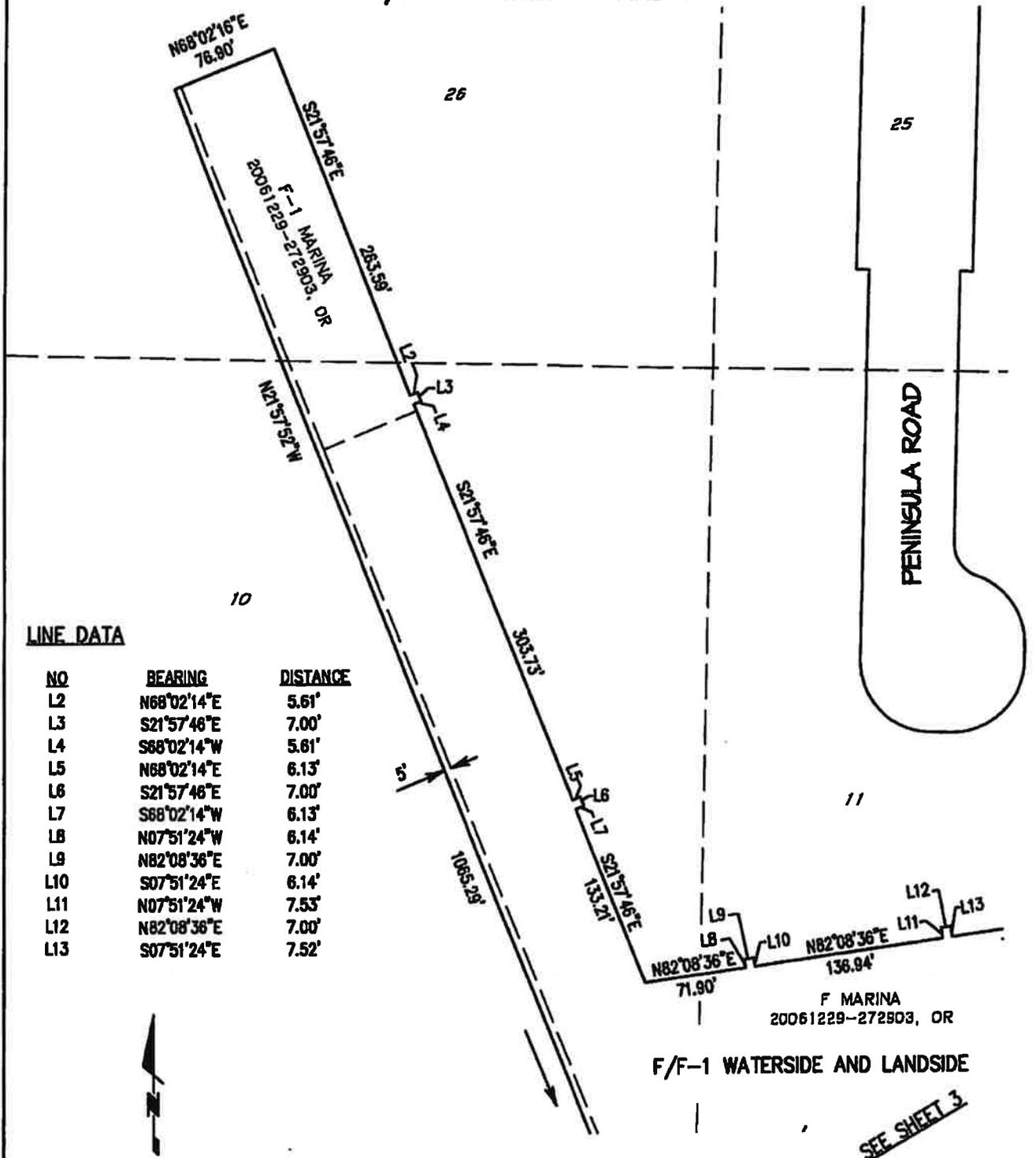
DATE



# EXHIBIT "B"

SHEET 2 OF 3

## LEASEHOLD F/F-1 WATERSIDE AND LANDSIDE



### LINE DATA

NO	BEARING	DISTANCE
L2	N68°02'14"E	5.61'
L3	S21°57'46"E	7.00'
L4	S68°02'14"W	5.61'
L5	N68°02'14"E	6.13'
L6	S21°57'46"E	7.00'
L7	S68°02'14"W	6.13'
L8	N07°51'24"W	6.14'
L9	N82°08'36"E	7.00'
L10	S07°51'24"E	6.14'
L11	N07°51'24"W	7.53'
L12	N82°08'36"E	7.00'
L13	S07°51'24"E	7.52'

F MARINA  
20061229-272903, OR  
F/F-1 WATERSIDE AND LANDSIDE

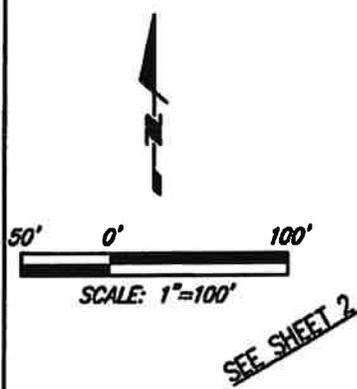
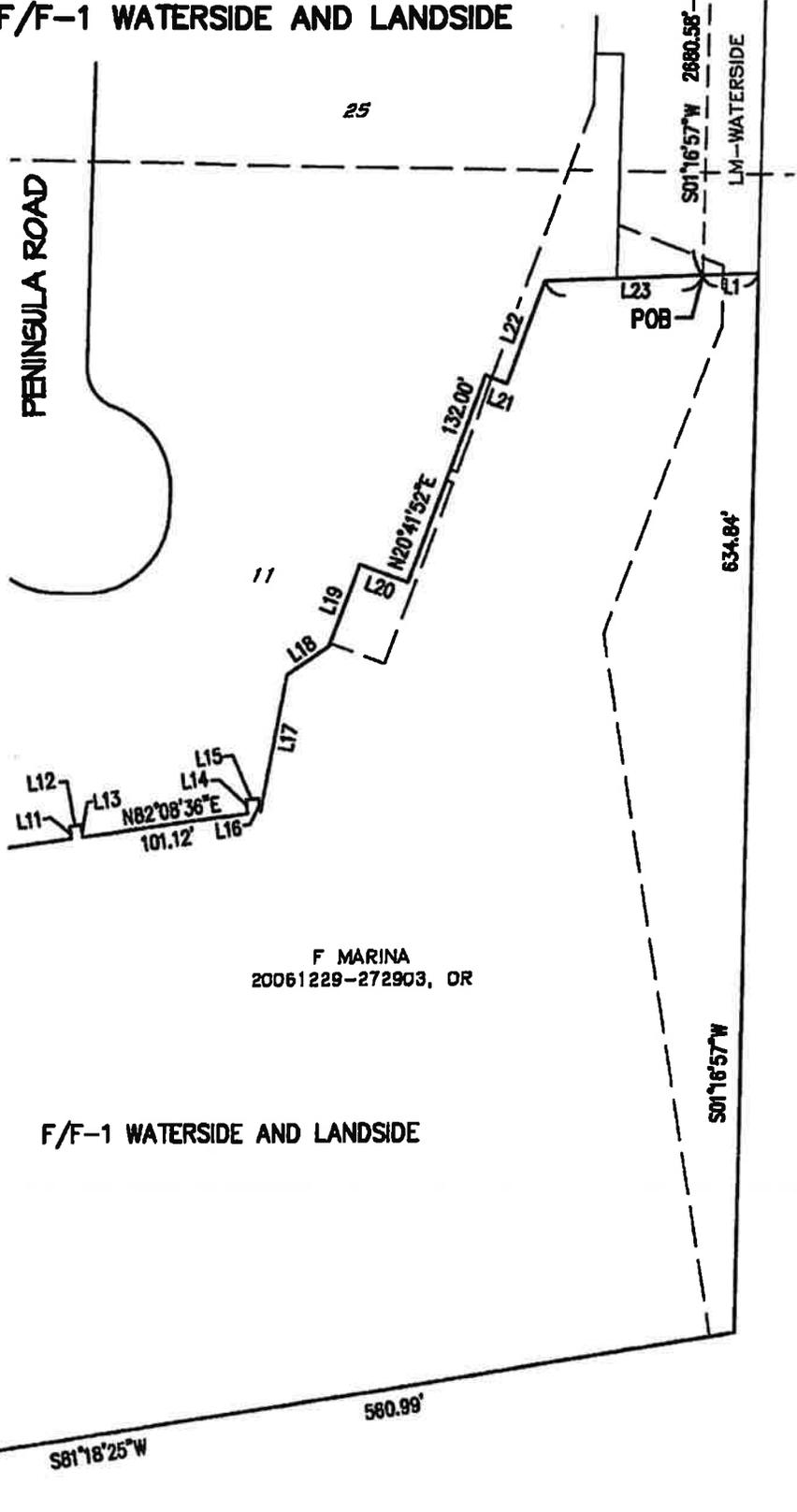
SEE SHEET 3

# EXHIBIT "B"

## LEASEHOLD F/F-1 WATERSIDE AND LANDSIDE

### LINE DATA

NO	BEARING	DISTANCE
L1	N88°09'25"E	34.01'
L11	N07°51'24"W	7.53'
L12	N82°08'36"E	7.00'
L13	S07°51'24"E	7.52'
L14	N07°51'24"W	8.00'
L15	N82°08'36"E	7.80'
L16	S07°51'24"E	8.00'
L17	N11°02'43"E	82.98'
L18	N55°47'12"E	29.83'
L19	N20°40'49"E	52.13'
L20	S89°18'08"E	30.51'
L21	S69°08'56"E	14.31'
L22	N20°41'52"E	65.58'
L23	N88°09'25"E	95.34'



F MARINA  
20061229-272903, OR

F/F-1 WATERSIDE AND LANDSIDE

## **FIFTH REVISED EXHIBIT E**

### **SCOPE OF DEVELOPMENT AND SCHEDULE OF PERFORMANCE**

#### **LESSEE'S WATERSIDE WORK – PARCELS F AND F-1**

The Leased Premises as presently improved consists of approximately 199 boat slips ("Old Boat Slips") and is to be redeveloped in design to maximize the number of slips, with an approximate loss of 7% of the existing slips.

The dock layout for the New Boat Slips will be based on the Public Works Plan for Channel Islands Harbor as approved by the California Coastal Commission in February 2008, the Notice of Impending Development adopted by the California Coastal Commission on August 10, 2011 and the State of California Division of Boating and Waterways (DBAW) guidelines in effect at the time construction permits are issued. The quantity and sizing of piles will be based on accepted engineering practice for designing piles for marinas based on local wind, current and wave loading conditions. All piles will be reinforced pre-stressed concrete piles with a recognized useful life of over 70 years. All dock access systems will be fully compliant with Federal ADA-1990, as amended. Dock power will meet DBAW and National Electric Code requirements and guidelines. Boat power will be metered and billed to each boat owner based on actual slip usage.

All work of removal and replacement shall be performed by licensed contractors. All replacements shall be with new materials. The dock system to be installed will be a Bellingham Marine Industries concrete module system or substantial equivalent.

To the extent possible, Lessee will assist displaced Boat Slip Renters to secure other mooring arrangements at local marinas during the construction period.

The waterside Parcels F/F-1 slip replacement project will be coordinated with waterside Parcels C and LM-1/LM-2/LM-3 slip replacement projects for purposes of minimizing boater displacement.

Demolition and replacement of boat slips in Parcels F/F-1 shall commence by December 31, 2021 in conjunction with the demolition of the adjacent hotel complex. Slip replacement on Parcels F/F1 waterside shall be initiated with the demolition of the adjacent hotel complex in late-2021, and shall be completed by December 31, 2025.