

**FIFTH AMENDMENT TO LEASE
(Oxnard Marinas, L.P. Parcels LM-1, LM-2, LM-3 – 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, the Lessee has indicated a need to rebuild Parcels LM-1, LM-2, and LM-3 in conjunction with its reconstruction of slips at Parcels F/F-1 in order to accommodate vessel relocation; 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;

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

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

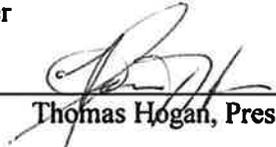
LESSEE:

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

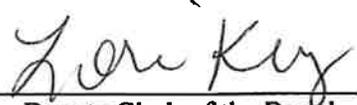
Its: Manager

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



FIFTH REVISED EXHIBIT E

SCOPE OF DEVELOPMENT AND SCHEDULE OF PERFORMANCE

LESSEE'S WATERSIDE WORK – PARCELS LM-1, LM-2, and LM-3

The Leased Premises as presently improved consists of approximately 156 boat slips ("Old Boat Slips") and is to be redeveloped in design to maximize the number of slips, with an approximate loss of 25% 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 certified by the California Coastal Commission in February 2008. A Notice of Impending Development will be requested from the California Coastal Commission in 2020. Construction standards adopted by the California Division of Boating and Waterways (DBAW) will be utilized in the construction. 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 LM-1/LM-2/LM-3 slip replacement project will be coordinated with waterside Parcels F/F-1 and Parcel C slip replacement projects for purposes of minimizing boater displacement.

Demolition and replacement of boat slips in Parcels LM-1/LM-2/LM-3 shall commence by December 31, 2021 in conjunction with the demolition of the hotel complex adjacent to Parcels F/F-1 and the demolition of the marina slips on Parcels F/F-1. Slip replacement on Parcels LM-1/LM-2/LM-3 shall be initiated with the slip replacement in Parcels F/F-1, and shall be completed by December 31, 2025.