FIRST AMENDMENT TO PERMIT NO. 916 BETWEEN THE CITY OF LOS ANGELES AND SHELL OIL COMPANY

THIS FIRST AMENDMENT to PERMIT No. 916 is made and entered into by and between the CITY OF LOS ANGELES, a municipal corporation ("City"), acting by and through its Board of Harbor Commissioners ("Board"), and SHELL OIL COMPANY ("Tenant") as follows:

1. Section 7.1.7 is added to read:

"7.1.7 Additional New Improvements. City shall cause the construction of Additional New Improvements, which are identified on "Exhibit A-1 to First Amendment". City's construction of Additional New improvements shall be (a) paid for by Tenant in the amount of \$183,929.00 and not subject to the provisions of Section 7.1 and 7.1.1 of this Agreement; (b) in a good and workmanlike manner; and (c) in conformity with (i) this Agreement, (ii) standard industry construction practices, (iii) a construction management plan to be mutually agreed upon by the Parties after the Effective Date of this Agreement, and (iv) Applicable Laws. City shall invoice Tenant for the Additional New Improvements after City receives an invoice from the builder of the Additional New Improvements, and Tenant shall pay the amount of \$183,929.00 within thirty (30) days of Tenant's receipt of such invoice. Upon addition of such Additional New Improvements to the Premises, the Harbor Engineer shall revise Exhibit "B" in accordance with the procedures described in Section 7 of this agreement."

2. Section 7.2.8 is amended to read:

"7.2.8 Ownership. All Tenant-Constructed Improvements, and Additional New Improvements identified on "Exhibit A-1 to First Amendment", shall be and remain the property of Tenant. Trade fixtures placed upon the premises by Tenant shall be and remain the property of Tenant."

Except as amended herein, all remaining terms and conditions of Permit No. 916 shall remain in full force and effect.

Subject to the provisions of Charter Section 373, the effective date of this Amendment shall be the date of its execution by the Executive Director upon authorization of the Board. Tenant is aware that pursuant to Charter Section 373 and Administrative Code Section 10.5, this Amendment requires approval by City Council prior to becoming effective

IN WITNESS THEREOF, the parties hereto have executed this First Amendment to Permit No. 916 on the date to the left of their signatures.

THE CITY OF LOS ANGELES, by its Board of Harbor Commissioners

Dated:

Ву ___

EUGENE D. SEROKA Executive Director

Attest

AMBER M. KLESGES Board Secretary

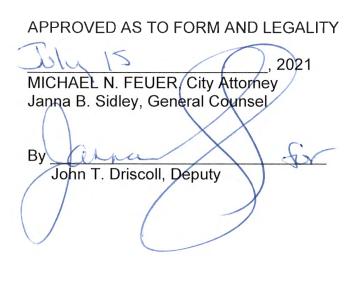
Dated: 6/22/21

SHELL OIL COMPANY

By: U.L. Klan

M.L. Elmore Attornay - Fact (Print/type name and title)

Attest: <u>K. A. Muner</u> <u>K. A. Miner Hydrogen Mobility</u> Ops Mgr (Print/type name and title)



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Verified Fund	ls Available:		
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Rev. 01/11/16

IN WITNESS THEREOF, the parties hereto have executed this First Amendment to Permit No. 916 on the date to the left of their signatures.

THE CITY OF LOS ANGELES, by its Board of Harbor Commissioners

Dated: _____

By_

EUGENE D. SEROKA Executive Director

Attest

AMBER M. KLESGES Board Secretary

Dated: 6/22/21

SHELL OIL COMPANY By: U.L. Rhave

M.L. Elmore Attornagion Fact (Print/type name and title)

Attest: <u>K. A. Miner Hydronen Mability</u> Ops Mar (Print/type name and title)

APPROVED AS TO FORM AND LEGALITY
MICHAELN. FEUER, City Attorney
Janna B. Sidley, General Counsel
By <u>Dana</u> John T. Driscoll, Deputy
$\sqrt{2}$

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Rev. 01/11/16