Draft Technical Report
for
Tentative Cleanup and Abatement
Order No. R9-2011-0001 R9-2012-0024

APPENDIX FOR SECTION 6

CAMPBELL INDUSTRIES

September 15, 2010 March 14, 2012
The parties to this Agreement are the SAN DIEGO UNIFIED
FORT DISTRICT, a public corporation, (Lessor) and SAN DIEGO
MARINE CONSTRUCTION CORP. (formerly MCOSSD), a California
corporation, (Lessee).

Recitals:

Lessor and Lessee entered into a written lease dated,
July 14, 1972, (the lease) for premises which are San Diego
Bay tidelands located in the City of San Diego, California.
The lease is Document No. 6222, on file in the office of the
Clerk of Lessor and particularly described in Exhibits "A"
and "B", attached hereto and by this reference made a part
hereof. The parties intend to terminate the lease by Lessee
surrendering and vacating the premises and Lessor accepting
such surrender and leasing the premises to a third party.

The Parties Agree:

1. The effective date of this Agreement shall be
August 31, 1979, subject to the Lessor entering into and
granting a new lease to Southwest Marine, Inc., a California
corporation, for the same premises. In the event a new
lease is not entered into and granted to Southwest Marine, Inc.,
a California corporation, this Agreement shall be null and
void and of no force or effect.

2. Lessee surrenders the lease and Lessor accepts such
surrender on the effective date of this Agreement. The lease
shall be fully and finally surrendered and terminated on
said effective date, subject to Paragraph 1, above. Lessee
shall vacate said premises on said effective date.
3. Any remaining rights, duties or obligations of the parties pursuant to the terms, covenants and conditions in the lease shall continue in full force and effect and shall not be affected by this Agreement. Nothing herein is intended nor shall be construed as a waiver of any such rights or as a release of any such duties or obligations, whether known or unknown at this time or upon the effective date of this Agreement.


SAN DIEGO UNIFIED PORT DISTRICT

By: ____________________________
   Assistant Port Director

APPROVED as to form
and legality

Port Attorney

dealer

SANDIAGO MARINE CONSTRUCTION CORP.

By: ____________________________
   Exhibit K-35

STATE OF CALIFORNIA,
COUNTY OF SAN DIEGO)

On this 14th day of JULY, 1979, before me, a Notary Public in and for the County of San Diego, State of California, personally appeared, known to me to be the [Name], a true and lawful corporation, and known to me as [Title], a true and lawful corporation, and acknowledged to me that such corporation executed the same.

[Signature]

STATE OF CALIFORNIA,
COUNTY OF SAN DIEGO)

On this 15th day of AUGUST, 1979, before me, a Notary Public in and for the County of San Diego, State of California, personally appeared, known to me to be the [Name], a true and lawful corporation, and known to me as [Title], a true and lawful corporation, and acknowledged to me that such corporation executed the same.

[Signature]
CERTIFICATE

The undersigned, Secretary of Campbell Industries, a California corporation (the "Company"), does hereby certify that the following is a true and correct copy of resolution duly adopted by the directors of the Company on July 27, 1979 and that the same has not since been modified or rescinded:

RESOLVED that the sale of certain assets of San Diego Marine Construction Corp., a wholly-owned subsidiary of the Company, to Southwest Marine, Inc. at the price of $3.65 million, substantially on the terms and conditions set forth in the form of Agreement of Purchase and Sale attached hereto as Exhibit "A" is hereby authorized and approved.

The undersigned does hereby further certify that the document attached hereto as Exhibit "A" is the Agreement of Sale and Purchase referred to in the foregoing resolution.

IN WITNESS WHEREOF, the undersigned has hereunto set his hand and the seal of the Company this 19th day of September, 1979.

[Signature]
Secretary
LEASE

THIS LEASE, made and entered into this ___ day of __________, 1979, between the SAN DIEGO UNIFIED PORT DISTRICT, a public corporation, hereinafter called "Lessor," and SOUTHWEST MARINE, INC., a California corporation, hereinafter called "Lessee," WITNESSETH:

Lessor, for the consideration hereinafter set forth, hereby leases to Lessee for the term and upon the conditions hereinafter set forth, a portion of those lands conveyed to the San Diego Unified Port District by that certain Act of Legislature of the State of California entitled "San Diego Unified Port District Act," Stats. 1962, 1st Ex. Sess., c. 67, as amended, which lands are more particularly described as follows:

Approximately 836,378 square feet of tideland area in the City of San Diego, California, more particularly described and delineated on Drawing No. 2087-3 revised July 27, 1979, attached hereto as Exhibits "A" and "F" and by this reference made a part hereof.

TO HAVE AND TO HOLD said leased premises for the term of this lease and upon the conditions as follows:

1. TERM: The term of the lease shall be for a period of thirty-nine (39) years, three (3) months, commencing on September 1, 1979, and ending on November 30, 2018, unless sooner terminated as herein provided.

2. RENT: Lessee agrees to pay to Lessor rent in accordance with the following schedules and procedures:

(a) The term of this lease shall be divided into a series of rental periods, each consisting of sixty (60) months, 15

-1-
**California Business Portal**

**Secretary of State: Kevin Shelley**

**DISCLAIMER:** The information displayed here is current as of JUL 23, 2004 and is updated weekly. It is not a complete or certified record of the Corporation.

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For information about certification of corporate records or for additional corporate information, please refer to Corporate Records. If you are unable to locate a corporate record, you may submit a request to this office for a more extensive search. Fees and instructions for requesting this search are included on the Corporate Records Order Form.

Blank fields indicate the information is not contained in the computer file.

If the status of the corporation is "Surrender", the agent for service of process is automatically revoked. Please refer to California Corporations Code Section 2114 for information relating to service upon corporations that have surrendered.

CORP NO: C0654347 DOMESTIC STOCK  
STATUS: MERGED OUT 08/24/1981

PRINCIPAL EXECUTIVE ADDR:

CALIFORNIA ADDRESS:

MAILING ADDRESS: P O BOX 1870  
SAN DIEGO, CA 92112

TYPE OF BUSINESS:

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LAST COMPLETE STATEMENT OF OFFICERS: DATE: 08/13/90 NO: 0360025
SECOND STATEMENT: NO CHANGE DATE: 06/09/03 NO: 0220894
AMENDMENT: DATE: NO:
CEO: PETER G SCHMIDT
FOOT OF 6TH & HARBOR DRIVE
SAN DIEGO, CA 92101
AGENT: ROBERT F ALLEN
FOOT OF 6TH & HARBOR DRIVE
SAN DIEGO, CA 92101

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SAN DIEGO, CA 92101  
CALIFORNIA ADDRESS: FOOT OF 8TH & HARBOR DRIVE  
SAN DIEGO, CA 92101  
MAILING ADDRESS: P O BOX 1870  
SAN DIEGO, CA 92112  

TYPE OF BUSINESS: SHIP REPAIR  

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