

FIRST AMENDMENT TO LEASE NO. L-9170
JOSEPH SVEDISE dba UNITED SHELLFISH CO.

and

SAN FRANCISCO PORT COMMISSION

This Amendment is made on this 16th day of June, 1983, by and between the CITY AND COUNTY OF SAN FRANCISCO, a municipal corporation, operating by and through the SAN FRANCISCO PORT COMMISSION (hereinafter called "PORT") as Landlord, and JOSEPH SVEDISE, an individual doing business as UNITED SHELLFISH CO. (hereinafter called "TENANT").

WHEREAS, on the eleventh day of February 1976 PORT and TENANT entered into a lease for certain property located at Pier 47A, Wharf J-7, as described on Exhibit A of said lease;

WHEREAS, for good and sufficient consideration, the parties desire to amend said Lease, pursuant to Paragraph 26 thereof, to accomplish relocation of the fish processing storage/icehouse located thereon; and

WHEREAS, relocation of said storage/icehouse is in accord with the Fisherman's Wharf Action Plan;

NOW, THEREFORE, witnesseth the following amendments:

I. "EXHIBIT A" of said lease shall be deleted and "REVISED EXHIBIT A," dated October 20, 1982, consisting of Port Engineering Department drawing no. 9158-J6-6 and a metes and bounds

description, shall be substituted therefor, reserving to Port and an appropriate utility company reasonable access for purposes of meter installation, maintenance and repair.

II. The storage/icehouse relocation which is the subject of this Lease Amendment shall be accomplished at no cost whatsoever to the CITY AND COUNTY OF SAN FRANCISCO or PORT.

III. TENANT shall hold the CITY AND COUNTY OF SAN FRANCISCO, PORT, and their officers, employees and agents harmless and free from liabilities and claims for damages, and suits for or by reason of any injury or injuries to any person or persons, or property of any kind whatsoever, from any cause or causes whatsoever, incurred in connection with the subject storage/icehouse relocation, including the sole, active, passive, joint and concurrent negligence of the CITY AND COUNTY OF SAN FRANCISCO, and TENANT shall defend against any such claim or lawsuit without cost to the CITY AND COUNTY OF SAN FRANCISCO, PORT and their officers, employees and agents.

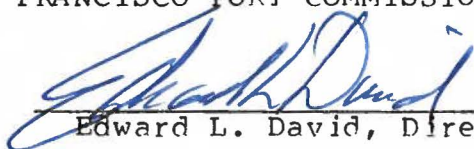
IV. This Amendment shall be effective on the date hereof provided that all necessary permits and regulatory agency approvals of agencies having jurisdiction over the subject relocation, including Bay Conservation and Development Commission, the Board of Supervisors of the City and County of San Francisco, and the Port Engineering Department, have been obtained. Otherwise the effective date of this Amendment shall be the date upon which such permits and approvals have been duly obtained.



V. Except as specifically amended herein, the terms, covenants and conditions of Lease No. L-9170 made the eleventh day of February 1976, shall be continued in full force and effect.

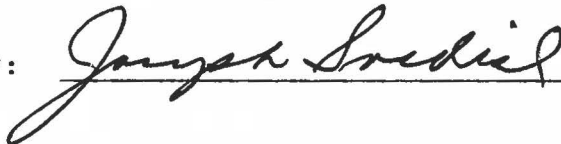
CITY AND COUNTY OF SAN FRANCISCO,
a municipal corporation,
operating by and through the
SAN FRANCISCO PORT COMMISSION

By:


Edward L. David, Director

JOSEPH SVEDISE dba UNITED SHELLFISH
CO.

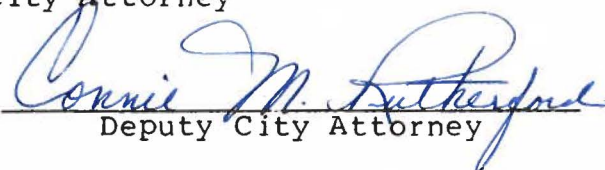
By:



APPROVED AS TO FORM:

GEORGE AGNOST
City Attorney

By:


Deputy City Attorney

1576P



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DESCRIPTION
WHARF J 6
UNITED SHELLFISH

Commencing at the intersection of the monument line of Hyde Street with the monument line of Jefferson Street; running thence easterly along the monument line of Jefferson Street for a distance of 919.15 feet; thence at right angle northerly for a distance of 161.75 feet to the true point of beginning; thence at a right angle to the left westerly for a distance of 11.33 feet; thence at a right angle to the right northerly for a distance of 27.00 feet; thence at a right angle to the right easterly for a distance of 13.80 feet; thence at a deflection angle to the right of 93°07' southerly for a distance of 27.04 feet to the true point of beginning and containing 339 square feet of area more or less.

Reserving to Port and/or appropriate utility company reasonable access for purposes of meter installation, maintenance, repair and inspection.

Sheet 1 of 2
See Drawing No. 9158-J6-6
Dated 10/20/82



100-100-100

SAN FRANCISCO PORT COMMISSION
CITY AND COUNTY OF SAN FRANCISCO
RESOLUTION NO. 83 - 23

WHEREAS an old storage/ice house presently under long term lease to United Shellfish on Wharf J-7 currently obstructs public access and the view amenity for patrons of Scoma's Restaurant;

WHEREAS United Shellfish is willing to relocate its storage/ice house facility to other space adjacent to United Shellfish's main fish processing plant on Wharf J-6;

WHEREAS Scoma's Restaurant is willing to demolish said storage/ice house, reconstruct the pier and deck area at the present site, reconstruct the pier substructure and deck at the substitute site to a condition suitable for construction of a new storage/ice house and bear all costs in connection therewith including pier, deck and utility expenses, excluding, however, the cost of constructing new storage/ice house itself which shall be borne by United Shellfish;

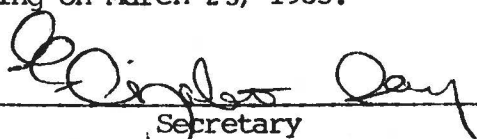
WHEREAS the proposal for relocation is in accord with the Fisherman's Wharf Action Plan;

WHEREAS a public hearing in this matter was held on January 12, 1983 following which meeting Resolution 82-34 was adopted approving the proposal and directing Port staff to prepare final form of document;

NOW THEREFORE BE IT RESOLVED that, this Commission hereby approves the terms and conditions of and authorizes the Port Director or his designee to execute that certain First Amendment To Lease L-9170 on file with the Commission Secretary and approved as to form by the City Attorney which will delete approximately 376 square feet of pier space from the present leasehold on Wharf J-7 to a substitute site on Wharf J-6 described in Revised Exhibit A attached to the lease amendment, subject to approvals by all governmental agencies with jurisdiction including, but not limited, to the Bay Conservation and Development Commission (BCDC)

BE IT FURTHER RESOLVED that, the Commission Secretary is directed to forward this amendment to the City's Board of Supervisors for consideration and approval.

I HEREBY CERTIFY that the foregoing resolution was adopted by the San Francisco Port Commission at its meeting on March 23, 1983.


Secretary



Handwritten text in a cursive script, likely a letter or document. The text is written in a dark ink on a light-colored paper. The handwriting is somewhat slanted and fluid, characteristic of 18th or 19th-century cursive. The text is arranged in several lines, with some lines being longer than others. There are some small, dark marks or ink smudges scattered throughout the text, particularly in the middle section. The overall appearance is that of a historical document or a personal letter.

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SAN FRANCISCO PORT COMMISSION
CITY AND COUNTY OF SAN FRANCISCO
RESOLUTION NO. 82- 133

WHEREAS an old storage/ice house presently under long term lease to United Shellfish on Wharf J7 currently obstructs the view for patrons of Scoma's Restaurant and additional public access;

WHEREAS United Shellfish is willing to have its storage/ice house relocated to other space adjacent to United Shellfish premises on Wharf J6;

WHEREAS Scoma's Restaurant is willing to demolish said storage/ice house, reconstruct the pier and deck area at the site, relocate and reconstruct a suitable storage/ice house for United Shellfish at the substitute site, and bear all costs in connection therewith including pier, deck and utility expenses;

WHEREAS Port policy requires that a public hearing be held prior to assigning additional property to existing tenants under long term lease;

NOW THEREFORE BE IT FURTHER RESOLVED that a public hearing be scheduled in Port Commission Meeting Room 283, World Trade Center, at 10:00 A.M. Wednesday January 12, 1983;

BE IT FURTHER RESOLVED that notice of a public hearing, be posted to the premises involved and disseminated to appropriate parties for purposes of considering this proposal;

BE IT FURTHER RESOLVED that Port staff is authorized to negotiate an agreement for the purposes stated above which will provide specifically that the City shall incur no cost whatsoever in connection with the transaction, that the agreement shall be subject to approvals by all agencies with jurisdiction including BCDC and the City's Board of Supervisors, and that all work be done under the Port permit in accord with Port standards.

BE IT FURTHER RESOLVED that the City Attorney shall prepare and approve a final form of agreement.

I HEREBY CERTIFY that the foregoing resolution was adopted by the San Francisco Port Commission at its meeting on December 16, 1982.


Secretary

SAN FRANCISCO PORT COMMISSION
CITY AND COUNTY OF SAN FRANCISCO
RESOLUTION NO. 82 - 134

WHEREAS Scoma's Restaurant on Wharf J-7 desires to improve the view for patrons and provide additional public access for visitors;

WHEREAS an old storage/ice house presently under long term lease to United Shellfish currently obstructs implementation of this open space amenity;

WHEREAS United Shellfish is willing to relocate its storage/ice house facility to other space adjacent to United Shellfish premises on Wharf J-6;

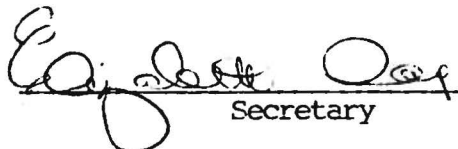
WHEREAS Scoma's Restaurant is willing to demolish United's existing storage/ice house, reconstruct the pier and deck area at the site, relocate and reconstruct the pier and platform at the substitute site and bear all costs in connection therewith including pier, deck and utility expenses but excluding the actual cost of the new ice house structure itself, its equipment and internal utility systems; and

WHEREAS Port policy requires that a public hearing be held prior to assigning additional property to existing tenants under long term lease;

NOW THEREFORE BE IT RESOLVED that, following a public hearing held this date, Port staff is authorized to complete negotiations with Scoma's Restaurant Incorporated to effect the purposes stated above, providing specifically that the City shall incur no cost whatsoever in connection with the transaction, that the agreement shall be subject to approvals by all agencies with jurisdiction including BCDC and the City's Board of Supervisors, and that all work will be done under the Port permit and in accord with Port's uniform construction code;

BE IT FURTHER RESOLVED that, the City Attorney shall prepare and approve a final form of agreement to be executed by the Tenant and resubmitted to this Commission for final consideration and action.

I HEREBY CERTIFY that the foregoing resolution was adopted by the San Francisco Port Commission at its meeting on January 12, 1983.


Secretary



FILE NO. 65-8-1

ORDINANCE NO. 26883

(Lease of Property)

APPROVING THE FIRST AMENDMENT TO THE LEASE BETWEEN JOSEPH SVEDISE, AN
INDIVIDUAL DOING BUSINESS AS UNITED SHELLFISH CO., AND THE CITY AND COUNTY
OF SAN FRANCISCO, OPERATING BY AND THROUGH THE SAN FRANCISCO PORT COMMISSION.

Be it ordained by the People of the City and County of San
Francisco:

Section 1. Pursuant to Section 7.402-1 of the Charter, the Board
of Supervisors hereby approves the first amendment to the lease between
Joseph Svedise, an individual doing business as United Shellfish Co., and
the City and County of San Francisco, operating by and through the San
Francisco Port Commission. A copy of said amendment is contained in the
Board of Supervisors' file number 55-834.

Read for Second Reading
Board of Supervisors, San Francisco

MAY 9 1983

Present Supervisors: Britt, Hongisto, Kennedy,
P. ~~Waller~~, Baker, Renne, Silver,
Waller, Ford.

Read Second Time and Finally Passed
Board of Supervisors, San Francisco

MAY 16 1983

Ayes: Supervisors Britt, ~~Hongisto~~, Kennedy,
Kopp, Baker, Molinari, Nelson, Renne, Silver,
Waller, Ford.

~~Noes: Supervisors~~

Absent: Supervisor **HONGISTO**

Present Supervisors: **BAKER** **MOLINARI**

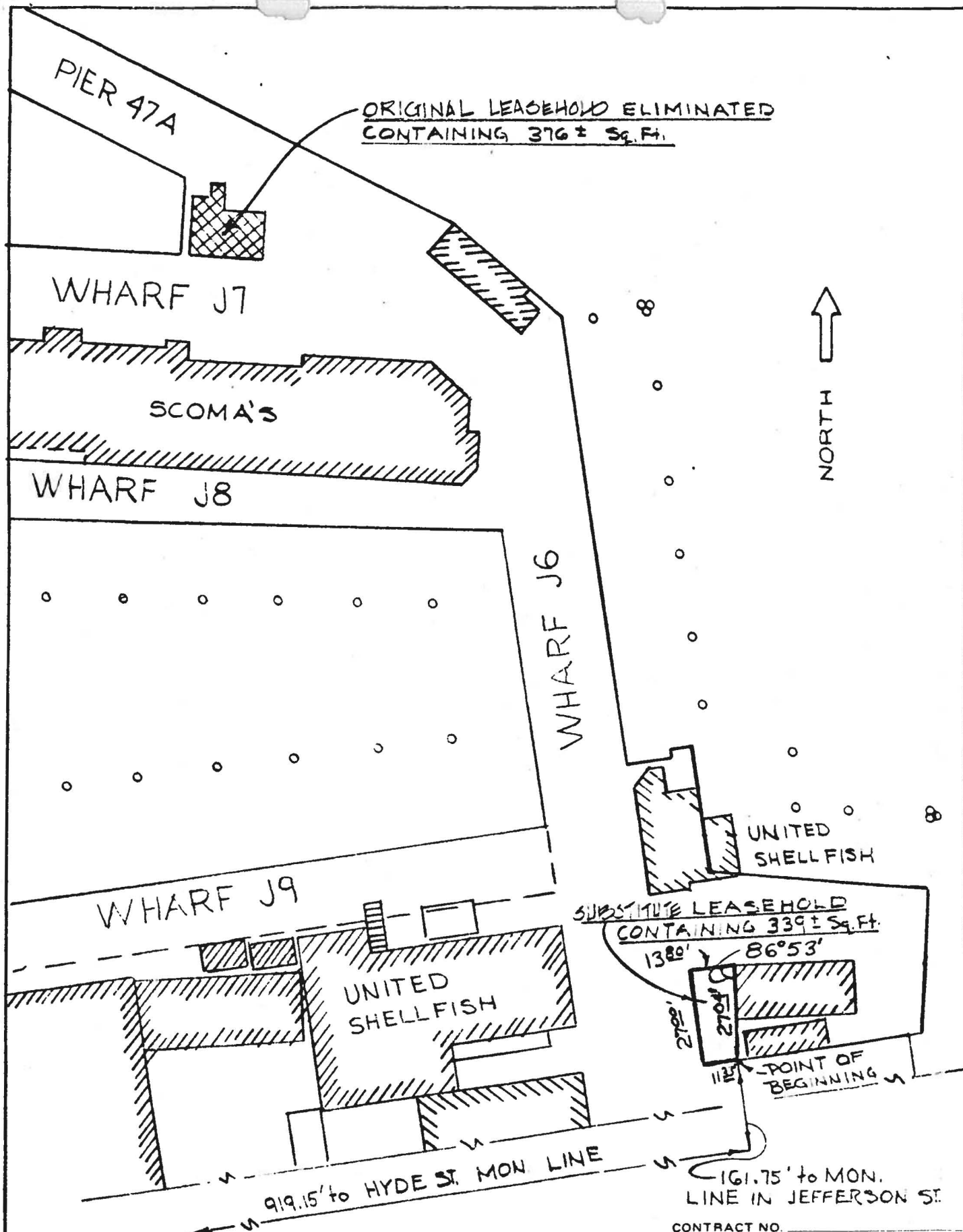
I hereby certify that the foregoing ordinance was
finally passed by the Board of Supervisors of the
City and County of San Francisco.

Clerk

Clerk

Approved

Mayor



SAN FRANCISCO PORT COMMISSION
PORT OF SAN FRANCISCO
DEPARTMENT OF ENGINEERING

WHARF J6 - UNITED
SHELLFISH LEASE

APPROVED _____

DATE _____

DRAWING NO. _____

9158-J6-6

SHEET NO. 2 OF 2

IN CHARGE OF DLH

MADE BY DLH

TRACED BY DLH

CHECKED BY _____

DATE 10/20/82

SCALE 1" = 40'

CONTRACT NO. _____

