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**AMENDMENT NO. 3
TO THE
MEMORANDUM OF AGREEMENT
BETWEEN
THE UNITED STATES OF AMERICA
ACTING BY AND THROUGH
THE SECRETARY OF THE ARMY
UNITED STATES DEPARTMENT OF THE ARMY
AND
THE FORT ORD REUSE AUTHORITY
FOR THE SALE OF
PORTIONS OF THE FORMER FORT ORD
LOCATED IN MONTEREY COUNTY, CALIFORNIA**

THIS AMENDMENT NO. 3 ("Amendment No. 3") to the *Memorandum of Agreement between the United States of America acting by and through the Secretary of the Army, United States Department of the Army, and the Fort Ord Reuse Authority for the Sale of Portions of the Former Fort Ord Located in Monterey County, California* dated June 20, 2000 ("Agreement") is entered into on this 28th day of August, 2008 by and between **THE UNITED STATES OF AMERICA**, acting by and through the Department of the Army ("Government"), and **THE FORT ORD REUSE AUTHORITY** ("Authority"), recognized as the local redevelopment authority by the Office of Economic Adjustment on behalf of the Secretary of Defense. Government and Authority are sometimes referred to herein collectively as the "Parties."

RECITALS

WHEREAS, the Parties did enter into the Agreement for the Economic Development Conveyance ("EDC") to the Authority of a portion of the former Fort Ord, California ("Property") pursuant to Section 2905(b)(4) of the Defense Base Closure and Realignment Act of 1990, as amended, and the implementing regulations of the Department of Defense (32 CFR Part 175); and

WHEREAS, subsequent to the execution and delivery of the Agreement, the Government did convey to the Authority, or is poised to convey to the Authority, pursuant to the Agreement, certain property located at the former Fort Ord, described more specifically in Exhibit A and hereinafter referred to as the "Youth Hostel Parcel"; and

WHEREAS, subsequent to the execution and delivery of the Agreement, the Authority, the City of Seaside and the Central California Council of American Youth Hostels ("AYH")

FORT ORD MOA AMENDMENT NO. 3

1 have executed a separate agreement effective on the 9th day of May, 2008 addressing the transfer
2 of the Youth Hostel Parcel from FORA to the City of Seaside; and
3

4 **WHEREAS**, the Parties believe it is desirable and necessary to include the Youth Hostel
5 Parcel within the scope of the Agreement.
6

7 **NOW THEREFORE**, in consideration of the foregoing premises and the respective
8 representations, agreements, covenants and conditions herein contained, and other good and
9 valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the
10 Parties agree as follows:
11

12 **AGREEMENTS**
13

14 **Article 1. Amendment to Property Description, as Described in EXHIBIT A of the**
15 **Agreement.**
16

17 a. The Youth Hostel Parcel, as described in Exhibit A to this Amendment No. 3,
18 shall be added to the parcels listed in EXHIBIT A to the Agreement, and shall be considered as
19 property transferred to the Authority as part of an economic development conveyance subject to
20 the terms and conditions of Article 2.01 of the Agreement, No Cost Economic Development
21 Conveyance.
22

23 **Article 2. Survival and Benefit**
24

25 a. Unless defined separately, the terms used in this Amendment No. 3 shall be the
26 same as used and defined in the Agreement, as amended.
27

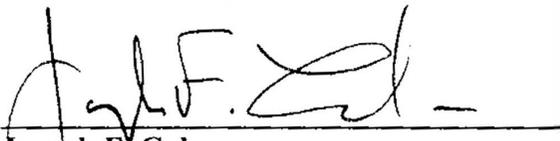
28 b. Except as set forth herein, and unless modified specifically by this Amendment
29 No. 3, the terms and conditions contained in the Agreement, as amended, shall remain binding
30 upon the Parties and their respective successors and assigns as set forth in the Agreement, as
31 amended.
32

33
34 **[Signature Page Follows]**
35

FORT ORD MOA AMENDMENT NO. 3

1
2 **In Witness whereof**, the Parties, intending to be legally bound, have caused their duly
3 authorized representatives to execute and deliver this Amendment No. 3 as of the date first above
4 written.
5

6
7 **UNITED STATES OF AMERICA,**
8 **Acting by and through the Department of the Army**
9

10
11
12
13 By: 
14 **Joseph F. Calcara**
15 **Deputy Assistant Secretary of the Army**
16 **(Installation & Housing)**
17 **OASA (I&E)**
18

19
20
21
22 **FORT ORD REUSE AUTHORITY**
23 **LOCAL REDEVELOPMENT AUTHORITY**
24

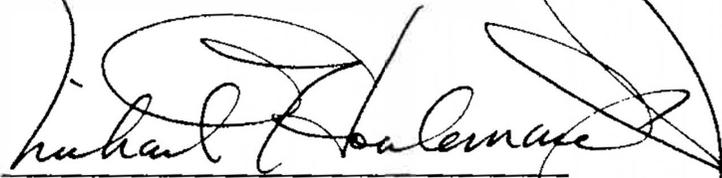
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26
27 By: 
28 **Michael A. Houlemard, Jr.**
29 **Executive Officer**
30

EXHIBIT A
YOUTH HOSTEL PARCEL

(4.654 ac., MCL No. 1, Seaside)

AMERICAN YOUTH HOSTELS

UNITED STATES OF AMERICA, to:

Certain real property situate in Monterey City Lands Tract Number 1, the City of Seaside, Monterey County, California, and being more particularly described as follows:

Beginning at a point from which a 3/4" diameter iron pipe tagged RCE 15310 at the southeast corner of Parcel 1, as shown on map filed in Volume 20 of Surveys at page 71, records of said county, bears N 2°14'00" E, 60.00 feet and N 87°46'00" W, 251.27 feet; thence from said point of beginning

1. S 87°46'00" E, 227.77 feet; thence
2. Along a tangent curve to the right with a radius of 30.00 feet, through a central angle of 89°58'00", for an arc distance of 47.11 feet; thence
3. S 2°12'00" W, 757.22 feet; thence
4. N 87°48'00" W, 257.75 feet; thence
5. N 2°12'00" E, 787.35 feet to the point of beginning.

Containing an area of 4.654 acres of land, more or less.

SUBJECT TO, HOWEVER, an easement for access and egress, 15 feet wide lying along, contiguous to and easterly of the following described line which commences at said point of beginning and runs thence S 2°12'00" W, 705.00 feet.

Courses all true.

This description was prepared by me or under my direction.

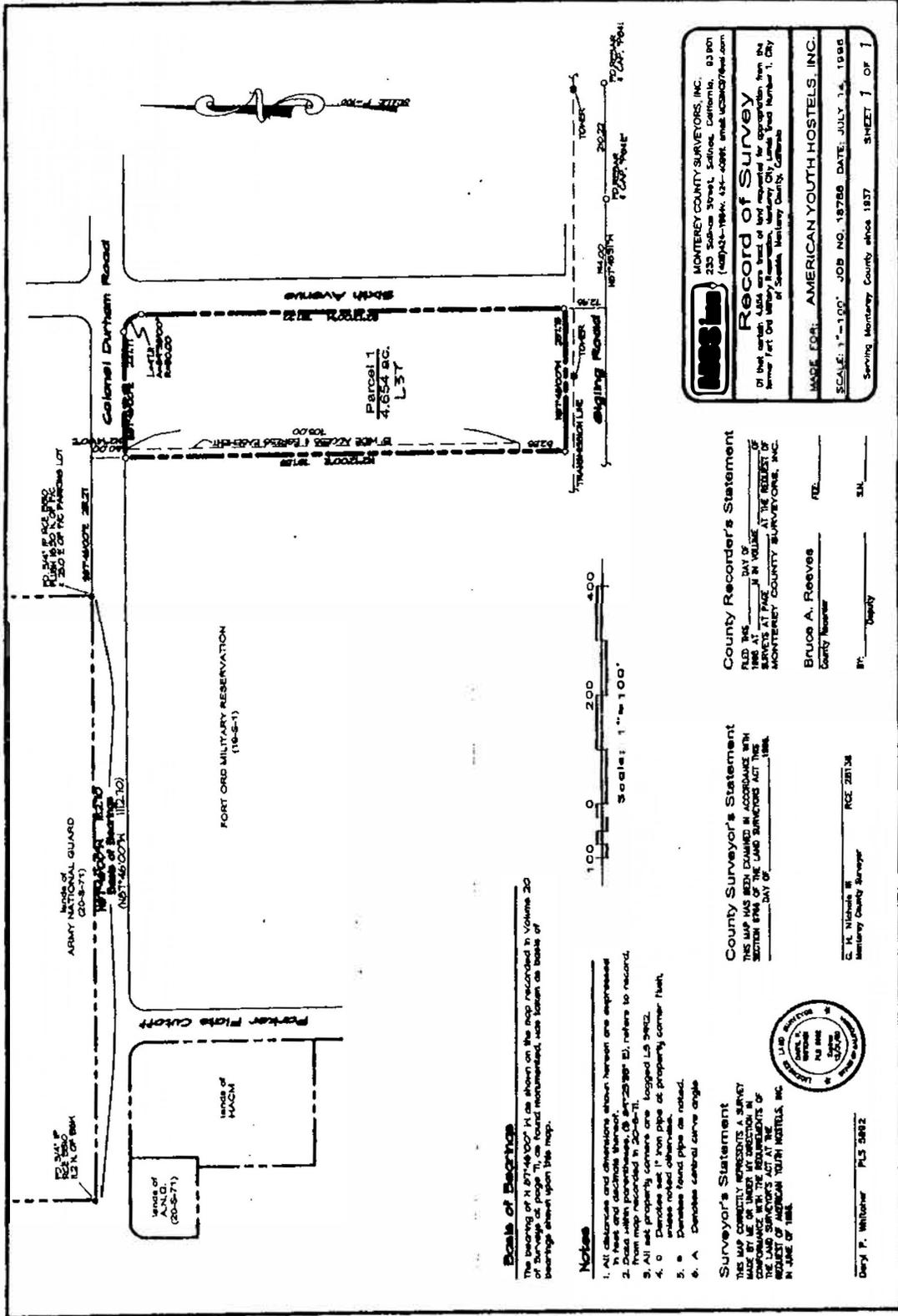

Daryl P. Whitcher P.L.S. 5992



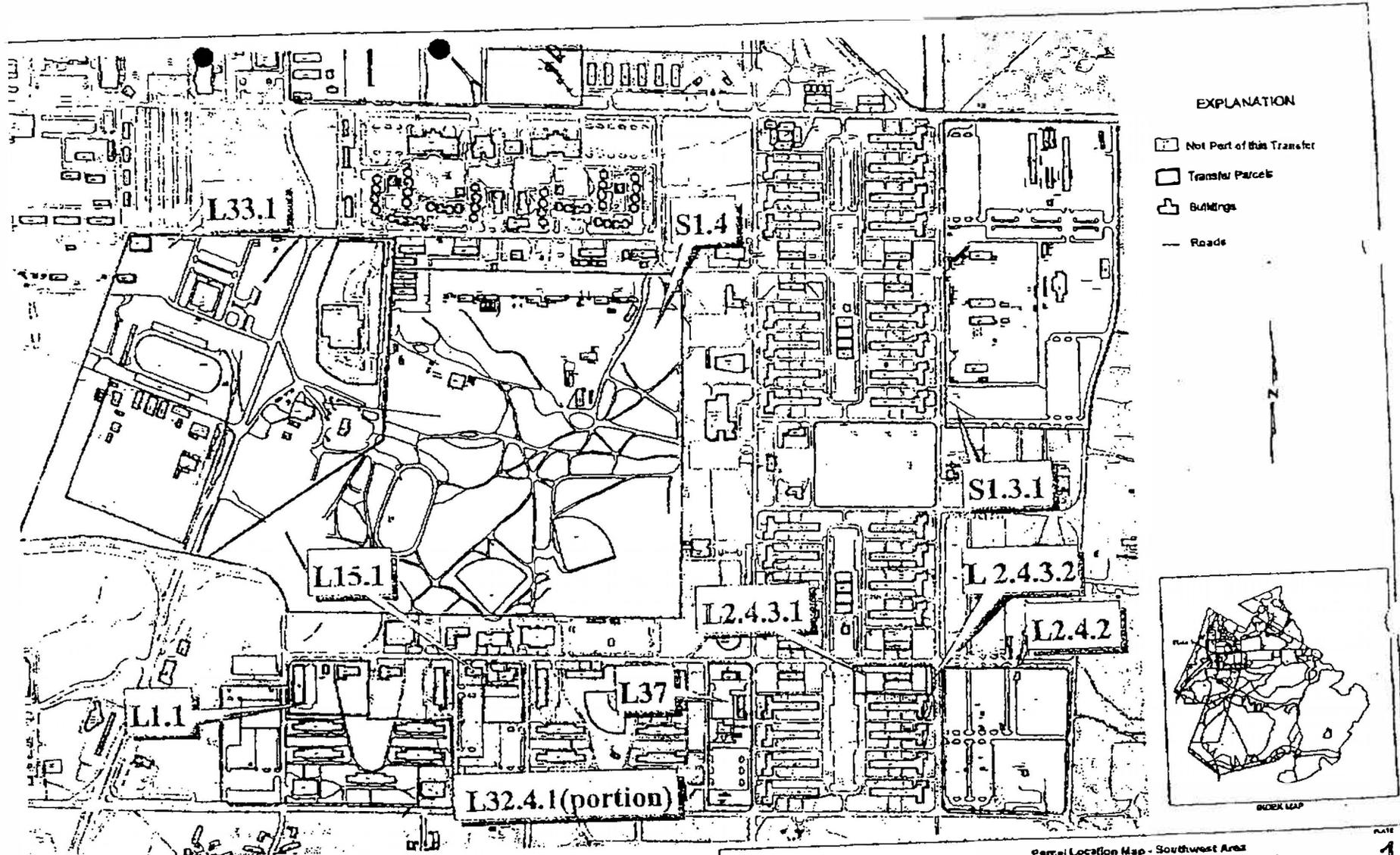
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L37



L37



EXPLANATION

-  Not Part of this Transfer
-  Transfer Parcel
-  Buildings
-  Roads



500 0 500 Feet



Harding Lawson Associates
Engineering and
Environmental Services
JCB

DATE: 10/10/99
PROJECT NO: 1010305

Parcel Location Map - Southwest Area
Housing Areas and Former Gasline Parcels FOSET
Former Fort Ord
Monterey, California

DATE: 10/99

PLATE 1

Light Fighter

BLVD

Leased Premises =
Area Within Lines

Thrifty Shop

