Certain right, title and interest of Lessor in and to this Lease Agreement has been assigned to and is subject to a security interest in favor of BNY Western Trust Company, a California banking corporation, as Bond Trustee. To the extent, if any, that this Lease constitutes chattel paper (as such term is defined in the Uniform Commercial Code as in effect in any applicable jurisdiction), no security interest in this Lease may be created through the transfer or possession of any counterpart other than the original executed counterpart, as provided in Section 19.6 hereof.

DOCKET
06-AFC-3
DATE JUL 31 2006
RECD. AUG 1 2006

LEASE AGREEMENT

dated as of

April 1, 1999

between

San Diego Unified Port District,
as Lessor

and

Duke Energy South Bay, LLC,
as Lessee

South Bay Power Plant
Chula Vista, California

Oversize Document(s)

1. MAP(S) #_____

Document too large to scan

2. PICTURE(S) #_____

For more information contact:

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