## OFFICE OF THE CITY ATTOKNEY CHARLES PARKIN City Attorney 411 West Ocean Boulevard, 9th Floor Long Beach, CA 90802-4664

## SECOND AMENDMENT TO GROUND LEASE NO. 26120

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THIS AMENDMENT TO GROUND LEASE NO. 26120 (this "Amendment") is made and entered into in duplicate as of October 7, 2020, pursuant to minute order adopted by the City Council of the City of Long Beach at its meeting of October 6, 2020, by and between the CITY OF LONG BEACH, a municipal corporation ("Lessor"), and WHITE BUFFALO HOLDINGS LLC, a California limited liability company ("Lessee").

WHEREAS, Lessor and Westland Parcel J Partners, LLC, as predecessor-in-interest to Lessee, entered into that certain Master Ground Lease (Contract No. 26120) dated as of March 12, 1999 (as may have been previously amended and assigned, the "Master Lease"); and

WHEREAS, Lessor and Lessee desire to amend the Master Lease to reflect a retroactive adjustment to the monthly rent and provide for a Tenant payment plan;

NOW, THEREFORE, Lessor and Lessee agree as follows:

- Adjusted Monthly Rent. Effective March 12, 2019, the monthly rent shall be Nineteen Thousand Nine Hundred Fifty Dollars (\$19,950) and is thereafter subject to adjustment as provided in Section 4.D. of the Master Lease.
- 2. <u>Deferred Adjusted Rent</u>. Tenant currently owes Landlord \$70,164 ("Deferred Rent Amount") in back rent attributable to rent underpayments from March 12, 2019 through May 31, 2020. Beginning on September 1, 2020 and continuing monthly thereafter until the Deferred Rent Amount is fully repaid, Lessee shall pay to Lessor, as additional monthly rent, equal installments of Five Thousand Eight Hundred Forty-Seven Dollars (\$5,847) ("Additional Rent"). The Additional Rent shall otherwise be payable in accordance with, and subject to, the Master Lease.
- 3. <u>Binding Effect</u>. Except as amended by this Amendment, the Master Lease remains unchanged and in full force and effect.
  - 4. <u>Entire Agreement, Counterparts</u>. This Amendment constitutes the

1	entire agreement between the parties with r	respect to the subject matter hereof, and may
2	not be modified except in writing signed	by both parties. This Amendment may be
3	executed in counterparts, each of which wl	hen taken together shall constitute the entire
4	agreement.	
5	5. <u>Effective Date</u> . This A	mendment shall be effective as of the date
6	executed by Lessor.	
7	IN WITNESS WHEREOF,	the parties hereto have executed this
8	Amendment to Lease as of the day and year	r first above written.
9		WHITE BUFFALO HOLDINGS LLC, a
10		California limited liability company
11	<u>December 29</u> , 2020	Name T. Courhan Onbur
12		Title Managing Momber
13		
14		"Lessee"
15		CITY OF LONG BEACH, a municipal corporation
16	March 25 2021	By Sinda J. Jatum
17	, 2020	City Manager
18		"Lessor" EXECUTED PURSUANT TO SECTION 301 OF
19		THE CITY CHARTER
20		ease No. 26120 is approved as to form on
21	January 27, 2020.	
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23		CHARLES PARKIN, City Attorney
24		By Deputy
25		Deputy
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