

OFFICE OF THE CITY ATTORNEY
ROBERT E. SHANNON, City Attorney
333 West Ocean Boulevard, 11th Floor
Long Beach, CA 90802-4664

1 FIRST AMENDMENT TO PERMIT NO. 30510
2 **30510**

3 THIS FIRST AMENDMENT TO PERMIT NO. 30510 is made and entered,
4 in duplicate, as of April 25, 2011, pursuant to a minute order adopted by the City Council
5 of the City of Long Beach at its meeting on November 20, 2007, by and between THE
6 CITY OF LONG BEACH, a Municipal corporation ("Lessor") and OWS HOLDINGS, LLC,
7 dba OFFSHORE WATER SPORTS ("Permittee"), a California corporation.

8 WHEREAS, Lessor granted Permittee permission to use and occupy
9 portions of the docks, the slips and end ties of the Rainbow Harbor and Rainbow Marina
10 in the City of Long Beach; and

11 WHEREAS, the parties desire to amend this permit by extending the term
12 and modifying the annual Minimum Payment;

13 NOW, THEREFORE, in consideration of the mutual terms and conditions in
14 Permit No. 30510, the parties agree as follows:

15 1. Section 5 of Permit No. 30510 is hereby amended in its entirety to read
16 as follows:

17 "5. TERM: The term of this Permit shall commence on January 1, 2008
18 and shall terminate on December 31, 2012. Notwithstanding the foregoing, either
19 party may terminate this Permit at any time for any or no reason upon ninety (90)
20 days written notice to the other party. Upon termination of this Permit (whether by
21 lapse of time or otherwise), Permittee shall quit and surrender possession of the
22 Permit Area and remove its personal property therefrom."

23 2. Section 6.2 of Permit No. 30510 is hereby amended in its entirety to
24 read as follows:

25 "6.2. Permit Fee.

26 A. Permittee shall pay to the City, percentage fees in the amount of eight
27 percent (8%) of Permittee's "gross receipts" (as that term is defined in
28 subparagraph 4.5 below) derived from Permittee's Long Beach Operations or an

1 Permittee consents to and agrees to perform the terms, covenants, and
2 conditions imposed on Permittee under this Permit during the renewal period.

3 OWS HOLDINGS, LLC, dba OFFSHORE WATER
4 SPORTS, a California corporation

5 May 29th, 2011

By Michael Nelson
6 President

7 Michael Nelson
(Type or Print Name)

8
9 _____, 2011

By _____
10 Secretary

11 _____
(Type or Print Name)

12 "Permittee"

13
14 CITY OF LONG BEACH, a Municipal corporation

15 12.9, 2011

By [Signature] Assistant City Manager
16 City Manager

17 "City"

EXECUTED PURSUANT
TO SECTION 301 OF
THE CITY CHARTER.

18 This First Amendment to Permit No. 30510 is approved as to form on

19 November 22, 2011.

20 ROBERT E. SHANNON, City Attorney

21 By [Signature]
22 Deputy

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