

33982

RIGHT-OF-ENTRY PERMIT

THIS RIGHT-OF-ENTRY PERMIT ("Permit") is made this 27th day of July, 2015 by and between the CITY OF LONG BEACH, a municipal corporation ("City"), and PINNER CONSTRUCTION CO., INC., a California corporation ("Permittee").

WHEREAS, Permittee has an immediate need to occupy a portion of certain real property owned by City located on the north side of Artesia Boulevard between Atlantic Avenue and Lime Avenue and more particularly depicted on Exhibit "A" attached hereto (the "Premises").

WHEREAS, City is willing to grant Permittee the temporary right to occupy the Premises in exchange for the provision of certain services and upon the terms and conditions described in this Permit.

NOW THEREFORE, City and Permittee, for good and valuable consideration, the receipt and sufficiency of which is acknowledged, and intending to be legally bound, agree as follows:

1. Use and Access. City hereby authorizes Permittee to exclusively use and occupy the Premises, for the express purpose of parking personal vehicles of Permittee's construction crews working on a construction project at Jordan High School. Permittee expressly acknowledges that storing of trucks, containers and related construction equipment is prohibited. Permittee shall not use the Premises for any other purpose other than as described in this Section. Permittee shall not bring any hazardous materials upon the Premises.

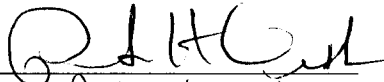
2. Term. Permittee may occupy the Premises beginning on July 27, 2015 (or a later date as mutually agreed upon by City and Permittee), and continuing until January 27, 2016. At any time during the term hereof, (x) City may terminate this Permit upon thirty (30) days' advance written notice for any reason or no reason, or (y) Permittee may terminate this Permit upon five (5) days' advance written notice for any reason or no reason, and in either event Permittee shall thereafter completely vacate the Premises and return the Premises to City in the same condition as delivered to Permittee (including without limitation the removal of any personal property or temporary improvements). Upon the mutual consent of City and Permittee, the term of this Permit may be extended for an additional six-month period.

3. Premises and Improvements. Permittee accepts the Premises "as is", and City makes no warranty or representation whatsoever with respect to the Premises, including without limitation as to access to a public street and/or suitability for Permittee's proposed use. Any improvements necessary for Permittee's use of the Premises shall be temporary in nature, installed solely at Permittee's expense, and shall be removed upon termination of this Permit. Prior to occupancy, Permittee shall provide a parking delineation plan to City for review and approval by appropriate City staff.

4. Occupancy Fee. In lieu of a fee, Permittee shall, at no cost or expense to City: (i) remove all debris from the Premises; (ii) clean and grade existing gravel covering on Premises; (iii) spray down the Premises as necessary to prevent dust from leaving the Premises; and (iv) maintain the Premises free of trash and other debris for the duration of the term of this Permit.

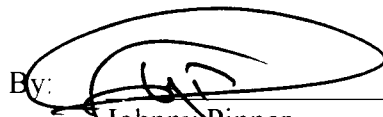
Please contact Johnny Vallejo at (562) 570-6792 to arrange access to the Premises.

CITY OF LONG BEACH, a municipal corporation

By: 
Name: Patrick Wise
Title: City Manager

Agreed and Accepted:

PINNER CONSTRUCTION CO., INC.,
a California corporation

By: 
Johnny Pinner
President

APPROVED AS TO FORM AND RETURNED

9.2, 2015
CHARLES PARKIN, City Attorney

By: 
RICHARD ANTHONY
DEPUTY CITY ATTORNEY

EXHIBIT A

PERMIT AREA & PARKING DELINEATION PLAN



City Approval: *Johnny Vallejo* Date: 7/27/15
Johnny Vallejo
Project Manager