

OFFICE OF THE CITY ATTORNEY
CHARLES PARKIN City Attorney
333 West Ocean Boulevard, 11th Floor
Long Beach, CA 90802-4664

FIRST AMENDMENT TO GROUND LEASE NO. 26120

26120

THIS AMENDMENT TO GROUND LEASE NO. 26120 (this "Amendment") is made and entered into in duplicate as of May 1, 2014, pursuant to minute order adopted by the City Council of the City of Long Beach at its meeting of February 4, 2014, by and between the CITY OF LONG BEACH, a municipal corporation ("Lessor"), and WHITE BUFFALO HOLDINGS LLC, a California limited liability company ("Lessee").

A. Lessor and Westland Parcel J Partners, LLC, as predecessor-in-interest to Lessee, entered into that certain Ground Lease (Contract No. 26120) dated as of April 16, 1998 (as may have been previously amended and assigned, the "Master Lease").

B. The Premises demised by the Master Lease ("Premises") originally consisted of the entire development commonly known as "Parcel J" ("Parcel J Development"), which was subdivided into approximately ten (10) legal parcels. Certain parcels have thereafter been removed from the Premises and leased to tenants under separate "Subdivided Leases" as contemplated by Section 5.E of the Master Lease. The Premises under the Master Lease currently consist of Parcels J-2, J-3 and J-4.

C. Lessor and Lessee desire to amend the Master Lease by clarifying the exact boundaries of the Premises, the other parcels comprising the Parcel J Development, and common areas included within the Parcel J Development.

NOW, THEREFORE, the Lessor and Lessee agree as follows:

1. Premises. The Premises under the Master Lease shall be comprised of Parcels J-2, J-3 and J-4 as described in Exhibit A attached hereto and incorporated herein, and as depicted in Exhibit B attached hereto and incorporated herein.

2. Common Areas. The Common Areas of the Parcel J Development shall be as described in Exhibit A attached hereto and incorporated herein, and as depicted in Exhibit B attached hereto and incorporated herein.

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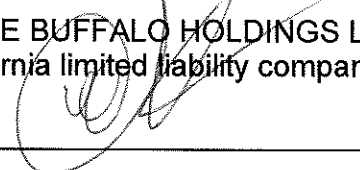
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3. Binding Effect. Except as amended by this Amendment, the Master Lease remains unchanged and in full force and effect.

4. Entire Agreement, Counterparts. This Amendment constitutes the entire agreement between the parties with respect to the subject matter hereof, and may not be modified except in writing signed by both parties. This Amendment may be executed in counterparts, each of which when taken together shall constitute the entire agreement.

5. Effective Date. This Amendment shall be effective as of the date executed by Lessor.

IN WITNESS WHEREOF, the parties hereto have executed this First Amendment to Lease as of the day and year first above written.

December 29, 2020
By 
T. Courtney Dubois
Type of Print Name

WHITE BUFFALO HOLDINGS LLC, a California limited liability company

"Lessee"

March 25 ²⁰²¹ ~~2020~~
By Linda J. Jabum
City Manager

CITY OF LONG BEACH, a municipal corporation

"Lessor"

EXECUTED PURSUANT TO SECTION 301 OF THE CITY CHARTER

The foregoing Amendment to Lease is approved as to form this 27 day of January, 2020.

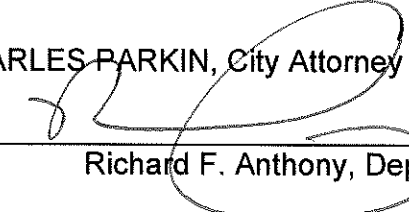
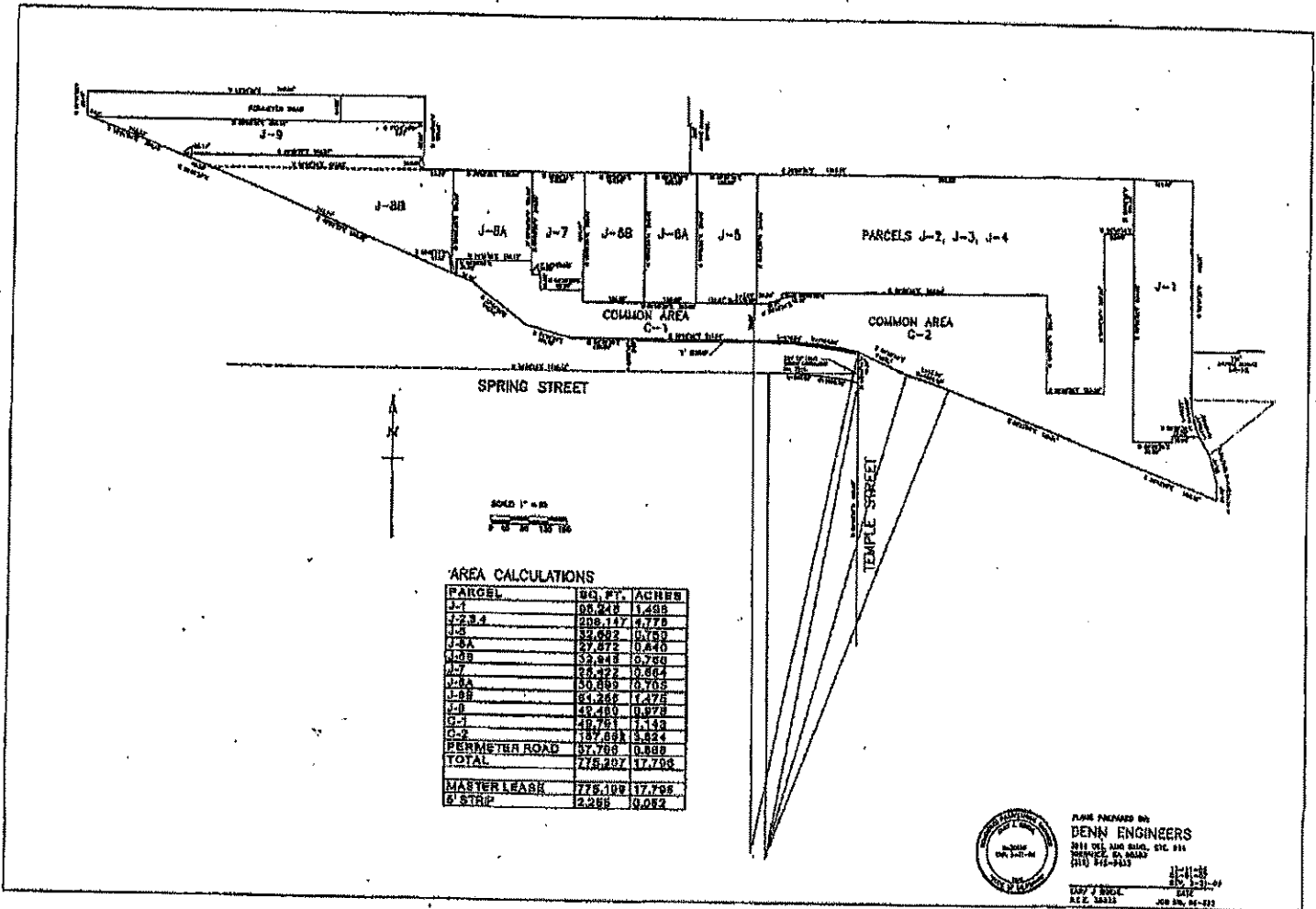
CHARLES PARKIN, City Attorney
By 
Richard F. Anthony, Deputy

EXHIBIT A and B



AREA CALCULATIONS

| PARCEL | SQ. FT. | ACRES |
|---------------|---------|--------|
| J-1 | 95,248 | 1.438 |
| J-2, J-3, J-4 | 298,117 | 4.778 |
| J-5 | 34,892 | 0.508 |
| J-6A | 37,872 | 0.544 |
| J-6B | 32,848 | 0.478 |
| J-7 | 28,422 | 0.414 |
| J-8A | 50,889 | 0.736 |
| J-8B | 84,268 | 1.218 |
| J-9 | 48,480 | 0.702 |
| C-1 | 48,791 | 0.706 |
| C-2 | 187,881 | 2.714 |
| PERMETER ROAD | 37,788 | 0.548 |
| TOTAL | 775,207 | 11.708 |
| MASTER LEASE | 775,108 | 11.706 |
| 6' STRIP | 2,288 | 0.033 |



PLANS PREPARED BY
DENNIS ENGINEERS
 2811 WILSON ROAD, SUITE 211
 BIRMINGHAM, AL 35243
 (205) 844-9413

DATE: 11-11-08
 BY: J.S.
 JOB NO. 04-032

Parcel J Current Lease Area SF + Common Area SF 10-9-08

Parcel J, Using Area shown on Plans prepared by Denn Engineers, REV. 3-21-07:

| | SF | | AC |
|---------------------------|----------------|-------------------|---------------|
| J1 | 66,246 | / 43,660 = | 1.488 |
| J2, J3, J4 | 208,147 | / 43,660 = | 4.778 |
| J5 | 32,862 | / 43,660 = | 0.760 |
| J6A | 27,872 | / 43,660 = | 0.640 |
| J6B | 32,848 | / 43,660 = | 0.768 |
| J7 | 25,422 | / 43,660 = | 0.584 |
| J8A | 30,699 | / 43,660 = | 0.705 |
| J8B | 64,256 | / 43,660 = | 1.475 |
| J9 | 42,489 | / 43,660 = | 0.975 |
| (C-1 = Common Area 1) C-1 | 49,791 | / 43,660 = | 1.143 |
| (C-2 = Common Area 2) C-2 | 167,862 | / 43,660 = | 3.824 |
| Perimeter Road | 37,796 | / 43,660 = | 0.868 |
| Total | 775,207 | / 43,660 = | 17.796 |
| Master Lease | 775,207 | / 43,660 = | 17.796 |
| 5' Strip | 2,255 | / 43,660 = | 0.052 |

| Common Area | SF |
|--------------------------|----------------|
| C-1 | 49,791 |
| C-2 | 167,862 |
| Total Common Area | 207,653 |

J1, J2, J3, J4, J5, J6A, J6B, J7, J8A SF = 423,013 (Total Lease Area SF of the Parcels that share Common Area Rent.)

| | Lease Area SF | | |
|----------------------|----------------|-------------|-----------------|
| J1 | 66,246 | / 423,013 = | 15.424% |
| J2 | 45,903 | / 423,013 = | 10.851% |
| J3 | 16,262 | / 423,013 = | 3.806% |
| J4 | 146,992 | / 423,013 = | 34.749% |
| J5 | 32,862 | / 423,013 = | 7.728% |
| J6A | 27,872 | / 423,013 = | 6.589% |
| J6B | 32,848 | / 423,013 = | 7.788% |
| J7 | 25,422 | / 423,013 = | 6.010% |
| J8A | 30,699 | / 423,013 = | 7.257% |
| J8B | 64,248 | - | - |
| J9 | 42,490 | - | - |
| * See J8B note below | 10 | - | - |
| ** See J9 note below | (1) | - | - |
| | 529,756 | | 100.000% |

| | Common Area Total SF | Common Area SF Allocation |
|-----------|----------------------|---------------------------|
| 15.424% x | 207,653 | = 32,029 |
| 10.851% x | 207,653 | = 22,533 |
| 3.806% x | 207,653 | = 7,488 |
| 34.749% x | 207,653 | = 72,167 |
| 7.728% x | 207,653 | = 16,043 |
| 6.589% x | 207,653 | = 13,682 |
| 7.788% x | 207,653 | = 16,172 |
| 6.010% x | 207,653 | = 12,480 |
| 7.257% x | 207,653 | = 15,069 |
| - | - | = - |
| - | - | = - |
| - | - | = - |
| - | - | = - |
| | 100.000% | 207,653 |

J1 & J2 Common Area allocation rounded up 1 SF each to total 207,653 SF Common Area for Parcel J
 * J8B Legal Description reads 64,248, but area shown on Plans prepared by Denn Engineers, REV. 3-21-07 reads 64,256.
 ** J9 Legal Description reads 0.975 AC, but City has historically converted to 42,490 SF, and calculated rent based on 42,490 SF.

Parcel J - Current Lease Area SF + Common Area SF - 10-9-08.xls