OFFICE OF THE CITY ATTORNEY ROBERT E. SHANNON, City Attorney 33 West Ocean Boulevard, 11th Floor Long Beach, CA 90802-4664

FIRST AMENDMENT TO LEASE NO. 28285 28285

THIS FIRST AMENDMENT TO LEASE NO. 28285 is made and entered, in duplicate, as of November 21, 2007 for reference purposes only, pursuant to a minute order adopted by the City Council of the City of Long Beach at its meeting on October 17, 2006, by and between the CITY OF LONG BEACH, a California municipal corporation ("Lessor"), and HERITAGE YACHT SALES, INC., a California corporation ("Lessee").

WHEREAS, on May 30, 2003, City, as Lessor and Naples Yacht Sales, Inc., as Lessee, entered into a lease of real property located at 231 Marina Drive and dock space immediately adjacent to the facility; and

WHEREAS, in October of 2006 Naples Yacht Sales, Inc. assigned their rights under Lease No. 28285 to Heritage Yacht Sales, Inc. and the lease further provided that it may be extended upon request of Lessee; and

WHEREAS, Lessee now desires to extend the term of the lease; and WHEREAS, this First Amendment is entered into to reflect the term approved by the Long Beach City Council;

NOW, THEREFORE, in consideration of the faithful performance of the terms, covenants, and conditions in the Lease, the parties agree as follows:

Section 2 of Lease No. 28285 is hereby amended in its entirety to read as follows:

"2. TERM:

- 2.1 Term. The Term of this Lease shall commence March 1, 2008 and shall terminate on February 29, 2013."
- Except as expressly amended herein, all of the terms, covenants, and conditions in Lease No. 28285 are ratified and confirmed and shall remain in full force and effect.

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IN WITNESS WHEREOF, Lessor and Lessee have signed this First

Amendment to Lease No. 28285 as of the	he date first written above.
	CITY OF LONG BEACH, a municipal corporation
Mwn Z(, 2008	City Manager "LESSOR" TO SECTION 301 OF THE CITY CHARTEF. HERITAGE YACHT SALES, INC., a California corporation
<u>1~16</u> , 2008	Ву
<u>1-14</u> , 2008	By annfim
Approved as to form this _	"LESSEE" /// day of, 200 ROBERT E. SHANNON, City Attorney By

GA:lkm 07-05426 1st Amd. 12/26/07