

1 THIRTEENTH AMENDMENT TO LEASE NO. 22897

2 **22897**

3 THIS THIRTEENTH AMENDMENT is made and entered, in duplicate, as of  
4 September 1, 2009 for reference purposes only, pursuant to a minute order adopted by  
5 the City Council of the City of Long Beach at its meeting on September 1, 2009, by and  
6 between the CITY OF LONG BEACH, a municipal corporation ("Lessor"), and JAN TODD  
7 and MICHAEL TODD (jointly referred to as "Lessee").

8 WHEREAS, the parties entered Lease No. 22897 as of April 13, 1993  
9 whereby Lessee leased certain premises ("Premises") from Lessor for the construction of  
10 a site for the growing and selling of trees; and

11 WHEREAS, construction has not yet begun and, as a result, Lessee is not  
12 required to and is not paying rent; and

13 WHEREAS, Lessee desires to use the Premises for a limited time to sell  
14 pumpkins and Christmas trees and is willing to pay rent during that time; and

15 WHEREAS, the Lease has been amended twelve times to permit Lessee to  
16 sell pumpkins and Christmas trees but each amendment is no longer effective and  
17 expired by its own terms;

18 NOW, THEREFORE, in consideration of the mutual terms, covenants, and  
19 conditions in Lease No. 22897 and herein, the parties agree as follows:

20 1. Section 4 of Lease No. 22897 is hereby deleted and amended in its  
21 entirety to read as follows:

22 "K. For the period from October 1, 2009 through December 31,  
23 2009, Lessee shall pay to Lessor lump sum rent in the amount of Four  
24 Thousand Dollars (\$4,000.00). Lessee shall pay said rent on or before  
25 December 1, 2009, without deduction, setoff, notice or demand."

26 2. If Lessee has paid said rent, then Lessee may use that portion of the  
27 Premises shown on Attachment "1" attached hereto and incorporated herein by this  
28 reference, as follows: (a) during the period from October 1, 2009 through October 31,

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



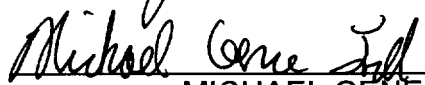
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1 2009, Lessee may use the Premises shown on Attachment "1" for the purpose of set up;  
2 and (b) during the period from November 1, 2009 through December 31, 2009, Lessee  
3 may use the Premises shown on Attachment "1" for the purpose of selling Christmas  
4 trees.

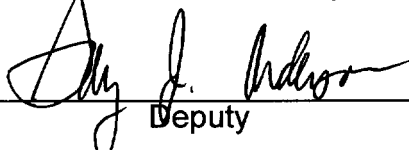
5 3. This Thirteenth Amendment shall terminate by its terms on  
6 December 31, 2009 without further action or documentation by the parties and the  
7 original terms of Lease No. 22897, to the extent inconsistent with this Thirteenth  
8 Amendment, shall be effective.

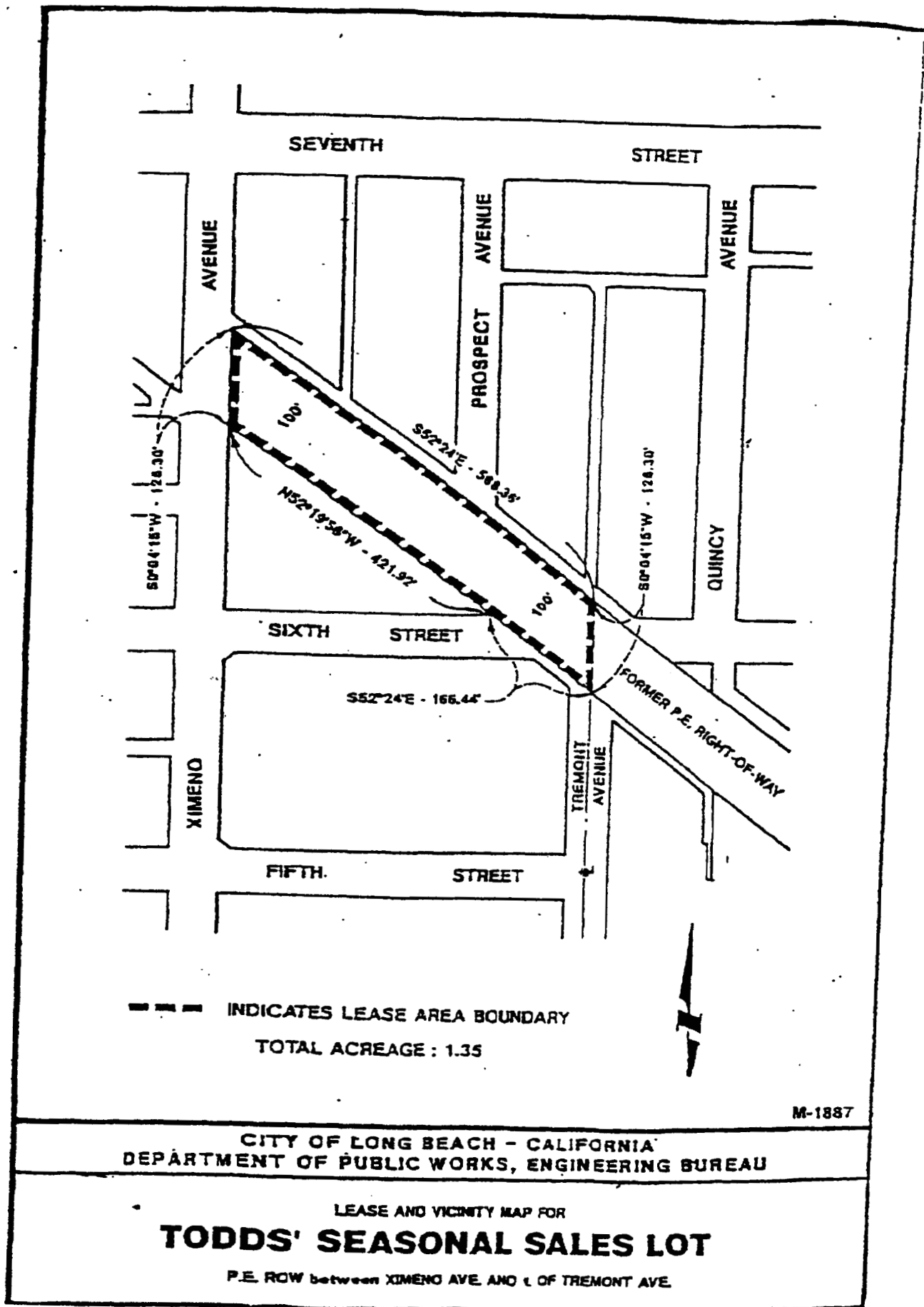
9 4. Except as expressly amended herein, all of the remaining terms,  
10 covenants, and conditions of Lease No. 22897 are ratified and confirmed and shall  
11 remain in full force and effect during the duration of this Thirteenth Amendment.

12 IN WITNESS WHEREOF, the parties have caused this document to be duly  
13 executed with all formalities required by law as of the date first stated above.

14 Lessor: Lessee:  
15 CITY OF LONG BEACH, a municipal corporation  
16 BY:  Assistant City Manager  
17 City Manager  
18   
19 JAN TODD  
20   
21 MICHAEL GENE TODD

22 This Thirteenth Amendment to Lease No. 22897 is approved as to form on  
23 November 17, 2009.

24 ROBERT E. SHANNON, City Attorney  
25 By   
26 Deputy



--- INDICATES LEASE AREA BOUNDARY  
 TOTAL ACREAGE : 1.35



M-1887

CITY OF LONG BEACH - CALIFORNIA  
 DEPARTMENT OF PUBLIC WORKS, ENGINEERING BUREAU

LEASE AND VICINITY MAP FOR  
**TODDS' SEASONAL SALES LOT**

P.E. ROW between XIMENO AVE. AND E. OF TREMONT AVE.