

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

THIRD AMENDMENT TO LEASE NO. 28222

**28222**

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THIS THIRD AMENDMENT TO LEASE NO. 28222 is made and entered, in duplicate, as of October 18, 2018, for reference purposes only, pursuant to a minute order adopted by the City Council of the City of Long Beach at its meeting held on December 10, 2002, by and between FIRST SERVE TENNIS, INC., a California corporation ("Tenant"), whose address is 1040 Park Avenue, Long Beach, California 90804, and the CITY OF LONG BEACH, a municipal corporation ("Landlord").

WHEREAS, Landlord and Tenant (the "Parties") entered into Lease No. 28222 whereby Landlord leases to Tenant the El Dorado Park Tennis Center located at 2800 Studebaker Road and the Billie Jean King Tennis Center located at 1040 Park Avenue; and

WHEREAS, the Parties entered into a First Amendment to Lease No. 28222 to reflect the name change; and

WHEREAS, the Parties entered into a Second Amendment to Lease no. 28222 to extend the term to December 31, 2018; and

WHEREAS, the Parties desire to exercise their second and final option to extend the term an additional five-year period;

NOW, THEREFORE, in consideration of the mutual terms, covenants, and conditions herein contained, the Parties agree as follows:

1. Section 2.A of Lease No. 28222 is hereby amended to read as follows:  
"A. The term of this Lease shall commence at midnight on April 1, 2003, and shall terminate at 11:59 p.m. on December 31, 2023, unless sooner terminated as provided herein. The "anniversary date" of this Lease shall be January 1."
2. Except as expressly amended herein, all terms and conditions in Contract No. 34730 are ratified and confirmed and shall remain in full force and effect.

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IN WITNESS WHEREOF, the parties hereto have caused these presents to be duly executed with all the formalities required by law on the respective dates set forth opposite their signatures.

FIRST SERVE TENNIS, INC., a California corporation

11-02, 2018

By Cathy Jacobson-Gundy  
Name Cathy Jacobson-Gundy  
Title President

\_\_\_\_\_, 2018

By \_\_\_\_\_  
Name \_\_\_\_\_  
Title \_\_\_\_\_

**Tom Modica**  
**Assistant City Manager**

“Tenant”

**EXECUTED PURSUANT  
TO SECTION 301 OF  
THE CITY CHARTER**

CITY OF LONG BEACH, a municipal corporation

11-20, 2018

By [Signature]  
City Manager

“Landlord”

This Third Amendment to Lease No. 28222 is approved as to form on

11/5, 2018.

CHARLES PARKIN, City Attorney

By [Signature]  
Deputy