



28989

FIRST (1ST) AMENDMENT TO LEASE 11-MONTH EXTENSION

THIS AMENDMENT TO LEASE is dated for reference purposes only SEPTEMBER 10, 2009, by and between THOMAS F. MERRICK AND BARBARA A. MERRICK, INDIVIDUALS ("Lessor") and CITY OF LONG BEACH, A MUNICIPAL CORPORATION ("Lessee").

WHEREAS, on or about SEPTEMBER 23, 2004 a Lease was entered into by and between Lessor and Lessee relating to certain real property commonly known as: 13-17 E. MARKET STREET, LONG BEACH, CALIFORNIA 90805 (the "Premises"), and

WHEREAS, Lessor and Lessee have not previously amended said Lease, and

WHEREAS, the Lessor and Lessee now desire to amend said Lease,

NOW, THEREFORE, for payment of ZERO DOLLARS and other good and valuable consideration to Lessor, the receipt and sufficiency of which is hereby acknowledged, the parties mutually agree to make the following additions and modifications to the Lease:

TERM: The ExpirationDate is hereby advanced extended to AUGUST 31, 2010

AGREED USE: The Agreed Use is hereby modified to:

BASE RENT ADJUSTMENT: Monthly Base Rent shall be as follows: EFFECTIVE OCTOBER 1, 2009 OCTOBER 1, 2009 THROUGH AUGUST 31, 2010 @ \$3,245.00/MO

OTHER: EARLY LEASE CANCELLATION: EITHER PARTY MAY TERMINATE THE LEASE EARLY UPON PROVIDING FOUR (4) MONTHS WRITTEN NOTICE TO THE OTHER PARTY.

J.F.M.

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This Agreement shall not be construed against the party preparing it, but shall be construed as if all parties jointly prepared this Agreement and any uncertainty and ambiguity shall not be interpreted against any one party.

All other terms and conditions of this Lease shall remain unchanged and shall continue in full force and effect except as specifically amended herein.

EXECUTED as of the day and year written below.

**By Lessor:**

THOMAS F. MERRICK AND BARBARA A. MERRICK,  
INDIVIDUALS

By: Thomas F. Merrick  
Name Printed: THOMAS F. MERRICK  
Title: OWNER / DATE: OCT 5, 2009

By: Barbara A. Merrick  
Name Printed: BARBARA A. MERRICK  
Title: OWNER / DATE:

**By Lessee:**

CITY OF LONG BEACH, A MUNICIPAL CORPORATION  
OFFICE OF THE CITY MANAGER

By: J. West Assistant City Manager  
Name Printed: Patrick H. West  
Title: City Manager / DATE: 9/29/09

EXECUTED PURSUANT  
TO SECTION 301 OF  
THE CITY CHARTER.

NOTICE: These forms are often modified to meet changing requirements of law and industry needs. Always write or call to make sure you are utilizing the most current form: AIR Commercial Real Estate Association, 800 W 6th Street, Suite 800, Los Angeles, CA 90017. Telephone No.: (213) 687-8777. Fax No.: (213) 687-8616.

APPROVED AS TO FORM

9/23 2009  
ROBERT E. SHANNON, City Attorney

By: Linda Trang  
LINDA TRANG  
DEPUTY CITY ATTORNEY

T.F.M.  
B.A.M.  
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