

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

FIRST AMENDMENT TO LEASE AND PURCHASE OPTION NO. 34552

34552

THIS FIRST AMENDMENT TO LEASE AND PURCHASE OPTION NO. 34552 ("Amendment") is made and entered into as of December 22, 2017 ("Effective Date"), pursuant to a minute order adopted by the City Council of the City of Long Beach, at its meeting held on June 20, 2017, by and between KILLING FIELDS MEMORIAL CENTER, INC., a California nonprofit corporation ("Lessee") and the CITY OF LONG BEACH, a municipal corporation ("Lessor" or "City").

WHEREAS, Lessor and Lessee entered into that certain Lease and Purchase Option No. 34552 (the "Lease") dated as of March 1, 2017, for certain property located at 1501 E. Anaheim Street, Long Beach, CA, as more particularly described in the Lease; and

WHEREAS, City and Lessee desire to amend the Lease;

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

1. Funds for Improvements. Within thirty (30) days after the Effective Date, City agrees to provide Lessee with One Hundred Fifty Thousand Dollars (\$150,000), to be spent by Lessee exclusively on design, fundraising, permitting, and construction costs associated with the Project (as defined in the Lease) and as more particularly described in Section 7 of the Lease ("Authorized Expenditures"). Lessee agrees to keep and maintain detailed written records (including all invoices from third-party vendors), available for inspection by City upon reasonable advance notice, which evidence all of the Authorized Expenditures. Lessee acknowledges and accepts the likelihood that the total costs of the Improvements shown on the plans attached as Exhibit "A" to this Amendment (which such plans Lessee intends to submit to City for site plan review as required pursuant to Section 7 of the Lease) will exceed City's funding obligation hereunder, and that such additional costs will be the sole obligation of Lessee.

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2. Except as amended by this First Amendment, the Ground Lease remains unchanged and in full force and effect.

3. This Amendment shall be effective as of the date first written above.

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

KILLING FIELDS MEMORIAL CENTER, INC., a California nonprofit corporation

_____, 2017

By: *Terry K. Ngien* 12-11-17
Name: TERRY K. NGIEN
Title: PRESIDENT

_____, 2017

By: *Paline SOTH*
Name: PALINE SOTH
Title: SECRETARY

_____, 2017

By: *Sokha Nuon* 12-11-17
Name: SOKHA NUON
Title: ASSISTANT TREASURER

"Lessee"

CITY OF LONG BEACH, a municipal corporation

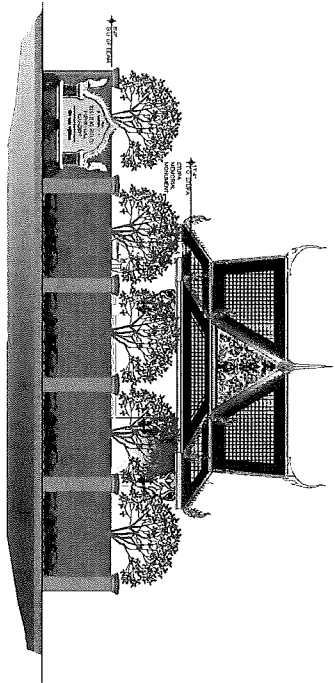
Dec. 22, 2017

By: *[Signature]* EXECUTED PURSUANT
City Manager TO SECTION 301 OF
THE CITY CHARTER.

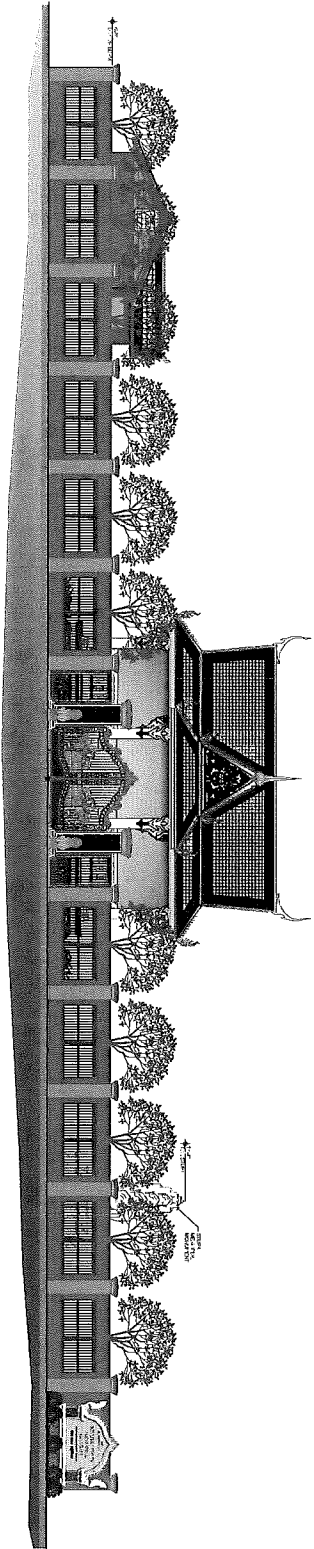
"Lessor" *Tom Modica*
Assistant City Manager

This First Amendment to Lease and Purchase Option No. 34552 is approved as to form on 12-18, 2017.

CHARLES PARKIN, City Attorney
By: *[Signature]*
Deputy



1 | WEST FENCE
 A-2 | LOOKING FROM ANAHEIM ST
 SCALE: 3/16"=1'-0"



2 | SOUTH FENCE
 A-2 | LOOKING FROM PETERSON AVE
 SCALE: 3/16"=1'-0"

REV.	DESCRIPTION	DATE
Δ 001	XXX	XX/XX/XXXX

CONTACT:
 Palma Sola
 Tel. (562) 810-3813
 CONTACT ADDRESS:
 1501 E. ANAHEIM ST., INC.
 Long Beach, CA 90809

EXHIBIT A
 KILLING FIELDS MEMORIAL CENTER, Inc.
 1501 E. Anaheim St, Long Beach, CA 90813

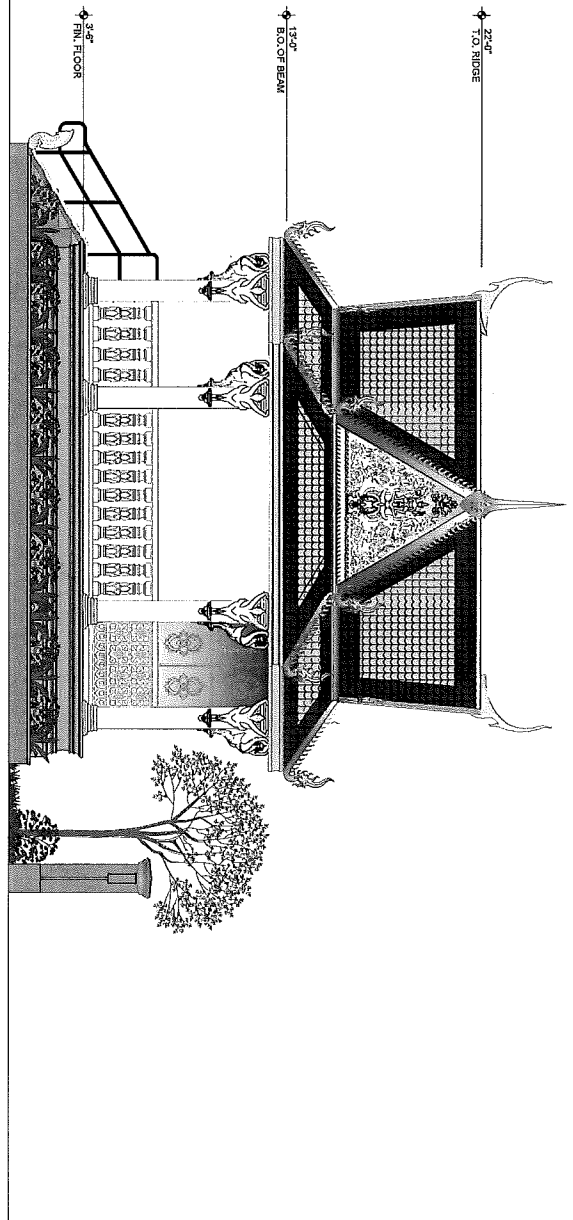
TITLE SHEET



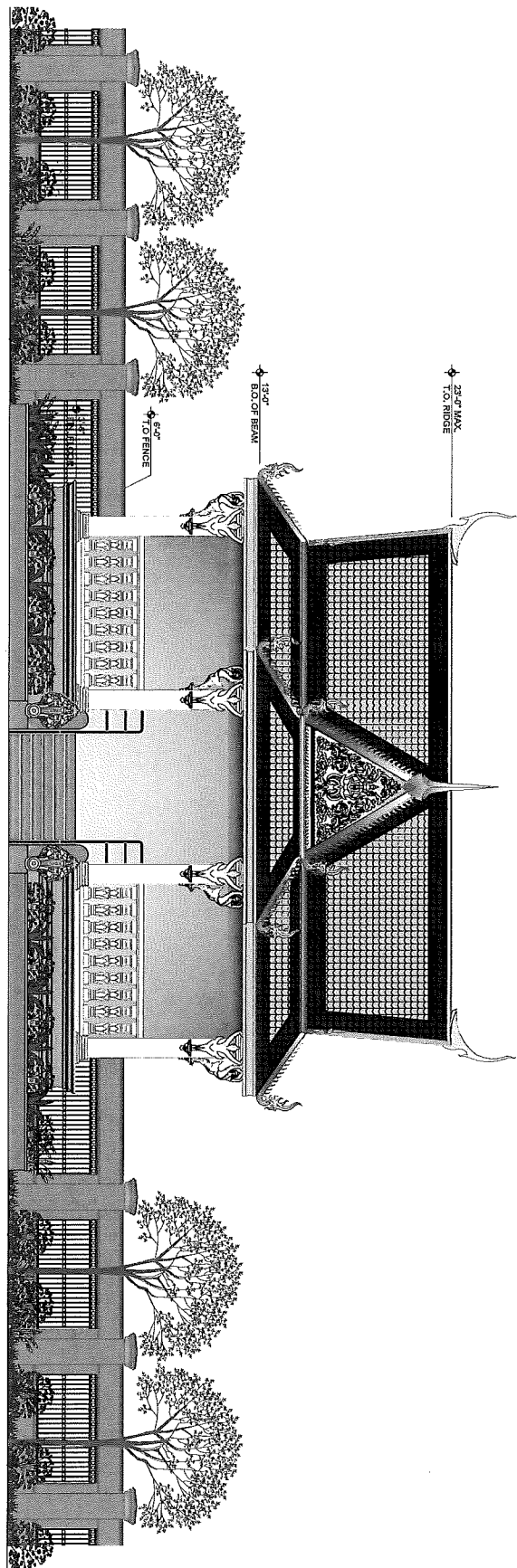
DATE: June 27, 2017
 SCALE: AS SHOWN
 DESIGNED BY: R/C

NOT TO SCALE IF DIMENSIONS ARE 11" X 17" PAPER

A-2



1 SOUTH ELEVATION
 A-3 STAGE LOOKING FROM ANAHEIM ST SCALE: 3/8"=1'-0"



2 WEST ELEVATION
 A-3 STAGE LOOKING FROM PETERSON AVE SCALE: 3/8"=1'-0"

REV.	DESCRIPTION	DATE
Δ xxx		XX/XX/XXXX

CONTACT:
 Palma Sola
 Tel. (562) 910-3813
 CONTACT ADDRESS:
 3221
 Long Beach, CA 90809

EXHIBIT A
 KILLING FIELDS MEMORIAL CENTER, Inc.
 1501 E. Anaheim St, Long Beach, CA 90813

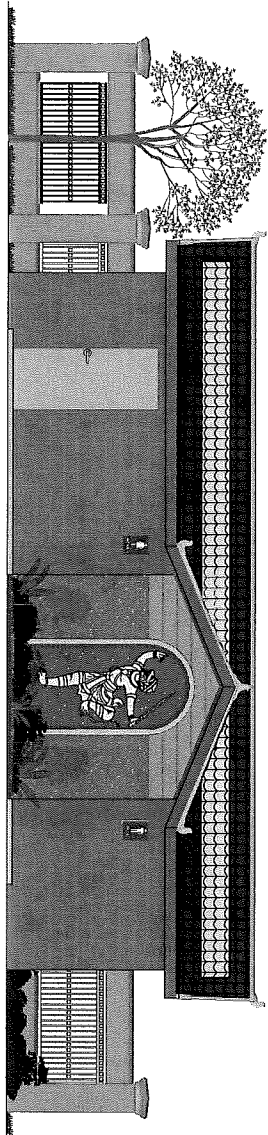
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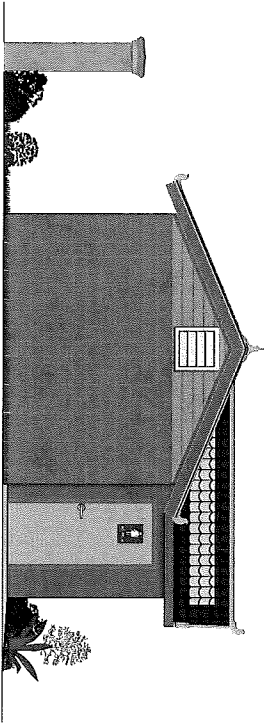
ARCHITECTURE - PLANNING
 INTERIOR DESIGN
 4100
 ARCHITECTURE, INC.
 4100

DATE: June 27, 2017
 SCALE: AS SHOWN
 DESIGNED BY: RC

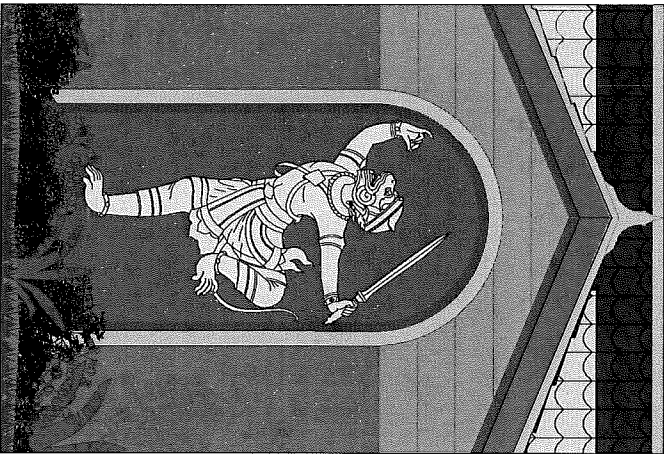
A-3



1 SOUTH ELEVATION
RESTROOM SCALE: 3/8"=1'-0"



2 WEST ELEVATION
RESTROOM SCALE: 3/8"=1'-0"



3 ENLARGE SOUTH WALL
RESTROOM SCALE: 1"=1'-0"

REV. DESCRIPTION DATE
A XIX 3/30/2017

CONTACT:
Palma 508
Tel: (562) 910-9813
22074167 ADDRESS:
Killing Fields Memorial Center, Inc.
1501 E. Anaheim St., Anaheim, CA 92805
Long Beach, CA 90802

EXHIBIT A
KILLING FIELDS MEMORIAL CENTER, Inc.
1501 E. Anaheim St, Long Beach, CA 90813

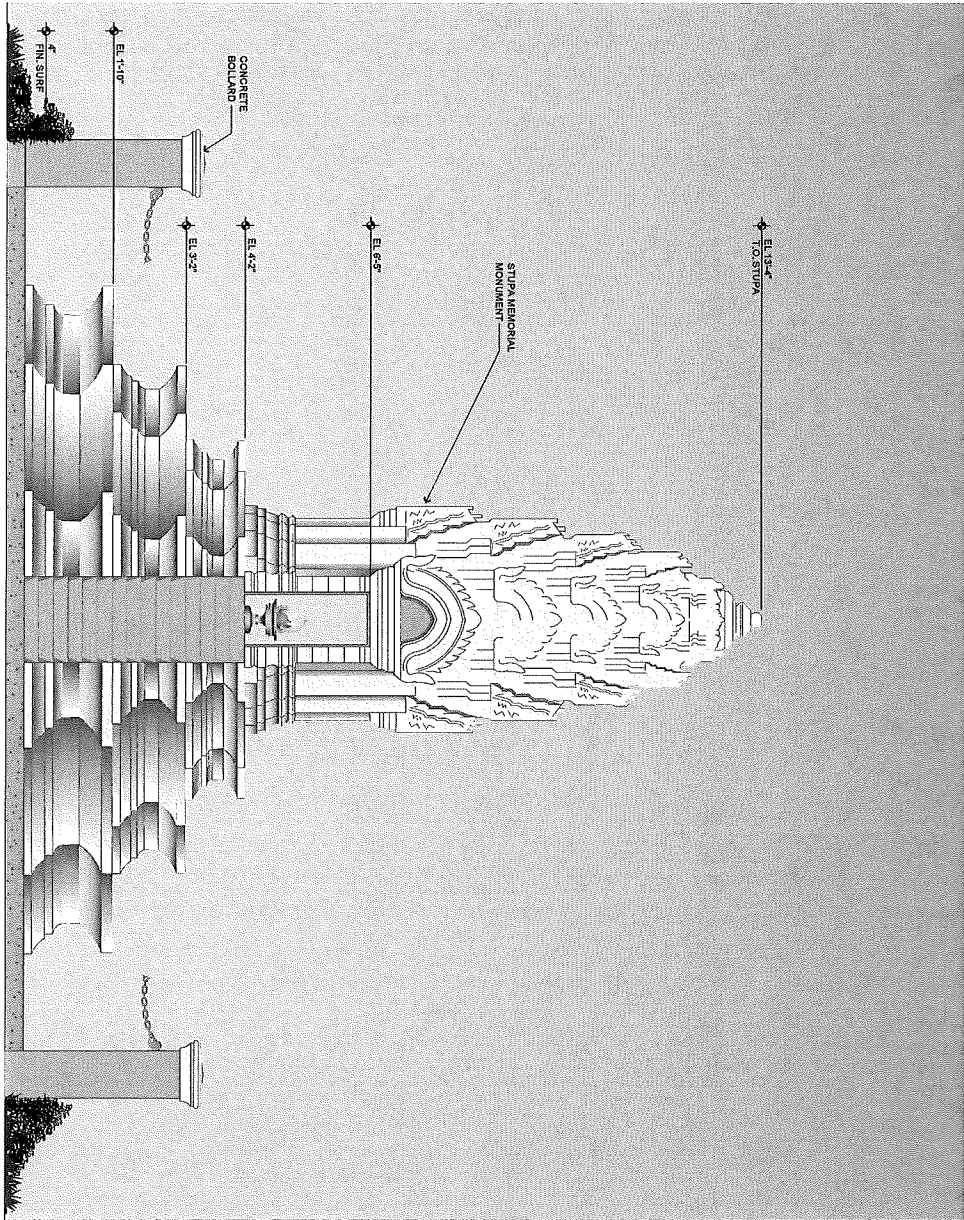
TITLE SHEET

WFC
ARCHITECTURE - PLANNING
INTERIOR DESIGN
40 E. ANAHEIM DRIVE
ANAHEIM, CA 92805

DATE: June 27, 2017
SCALE: AS SHOWN
DESIGNED BY: RC

NOT TO SCALE IF PRINTED ON 11" X 17" PAPER

A-4



1 STUPA ELEVATION
A-5
SCALE: 1"=1'-0"

REV.	DESCRIPTION	DATE
01	xxx	xx/xx/xxxx

CONTRACT:
Palme Sola
Tel. (562) 910-3813
CONTACT ADDRESS:
12771 Wilshire Blvd., 4th. Fl.
Long Beach, CA 90803

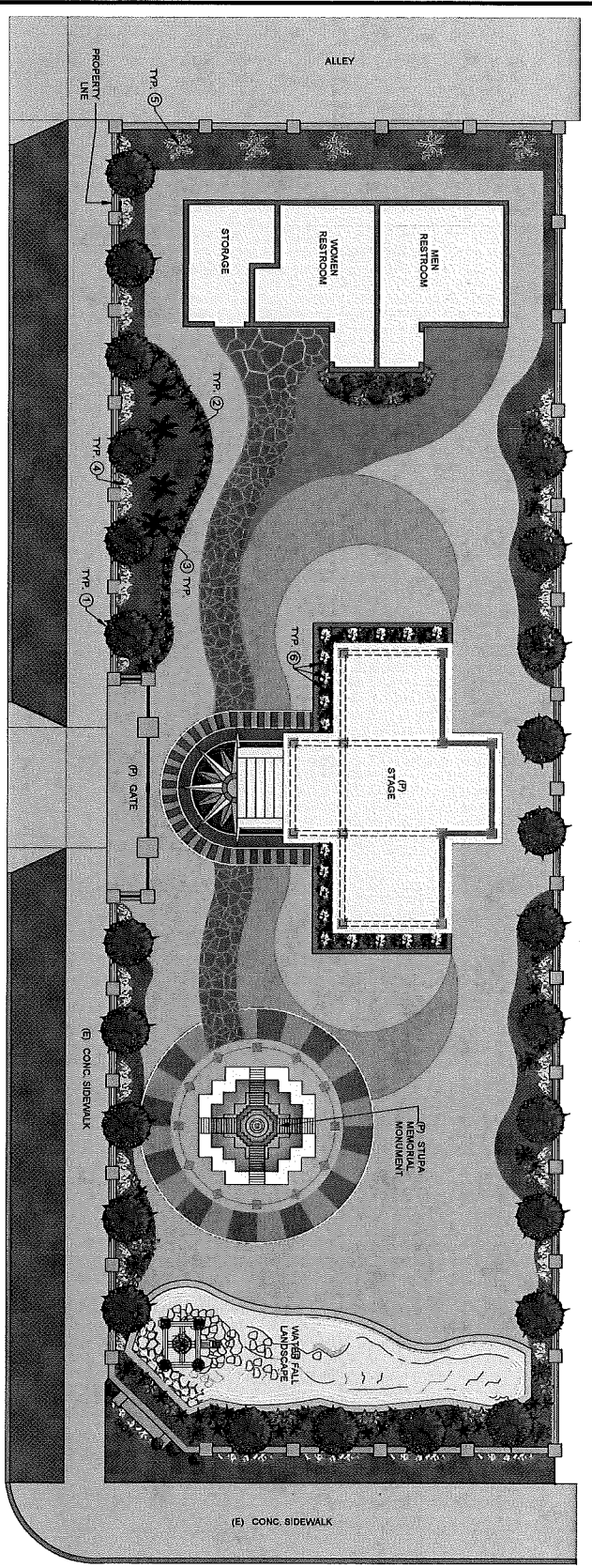
EXHIBIT A
KILLING FIELDS MEMORIAL CENTER, Inc.
1501 E. Anaheim St, Long Beach, CA 90813

WFE
ARCHITECTURE - PLANNING
INTERIOR DESIGN
4111 Wilshire Blvd.
Los Angeles, CA 90048
Tel. (310) 471-1100

DATE: June 27, 2017
SCALE: AS SHOWN
DESIGNED BY: RC

1"=1'-0" SCALE OF PRINTED ON 11" x 17" PAPER
A-5

TITLE SHEET



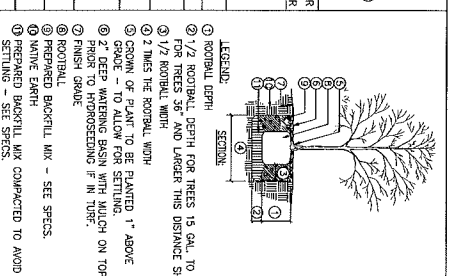
PETERSON AVE.
1 LANDSCAPE
SCALE: 3/16"=1'-0"

PLANNING

1. THESE DESIGN DRAWINGS ARE DIAGRAMMATIC, SHOWING ENDEAVOR LOCATIONS AND RELATIONSHIPS OF PLANTING ELEMENTS. FINAL SITE CONDITIONS ALTERED DURING CONSTRUCTION MAY REQUIRE ADJUSTMENTS TO THE LAYOUT BY THE OWNER OR THEIR REPRESENTATIVE.
2. CONTRACTOR IS RESPONSIBLE FOR TRANSFERRING PLANT MATERIAL FREE OF PEST OR DISEASES AND NORMAL IN FORM FOR THE SPECIES AND DESIGN CALLED FOR ON THE PLANS.
3. IRRIGATION SYSTEM SHALL BE FULLY OPERATIONAL, TREES AND SHRUBS SHALL BE FULLY ESTABLISHED PRIOR TO ANY GENERAL LANDSCAPE FINISH WORK.
4. THE APPLICABLE SOIL AMENDMENT SHALL BE APPLIED TO ALL PLANTING AREAS PER THE SOIL AMENDMENT SCHEDULE ON THE PLANS.
5. CONTRACTOR SHALL NOT INSTALL PLANT MATERIAL THAT IS WILED OR HAS A DAMAGED ROOT BALL.
6. THE CROWN AREA OF TREES AND SHRUBS SHALL BE 2" HIGHER, AFTER SETTLING, THAN ADJACENT FINISHED GRADE.
7. UNLESS OTHERWISE NOTED, ALL LANDSCAPED AREAS, EXCLUDING TURF, TO BE TOP DRESSED WITH A 2" LAYER OF SINGLE STRONG SHREDED BARK MULCH AFTER ALL PLANTING IS COMPLETED. THIS LAYER IS IN ADDITION TO SOIL AMENDMENT MATERIAL.
8. CONTRACTOR TO INCLUDE IN THE BID A PRICE FOR COMPLETE MAINTENANCE OF ALL WORK FOR 60 DAYS AFTER FINAL ACCEPTANCE BY THE OWNER. MAINTENANCE SHALL INCLUDE: WATERED, PEST AND DISEASE TREATMENT, AND ALL OTHER WORK NECESSARY FOR HEALTHY, VIGOROUS AND CLEAN APPEARANCE.

10. ALL CONTAINER PLANTS SHALL BE GUARANTEED TO BE IN A HEALTHY CONDITION AT THE END OF THE 60 DAY MAINTENANCE PERIOD.
11. CONTRACTOR SHALL REPLACE IN A TIMELY MANNER ANY CONTAINER PLANTS THAT ARE DAMAGED, MISSING OR DEAD DURING THE 60 DAY MAINTENANCE PERIOD. EXCEPT TREES WHICH SHALL BE REPLACED ANY TIME DURING THE ONE YEAR GUARANTEE PERIOD. SOIL AMENDMENT SCHEDULE.

DETAIL NO.	QUANTITY	SIZE	BOTANICAL NAME	COMMON NAME	REMARKS
1	25	24" BOX	AGER CAMPERSIVE 'Sage'	FIELD MAPLE	AS SHOWN ON PLAN
2	AS SHOWN		STENOLOPHYLLUM SECUNDIFOLIUM	ST. AUGUSTINEGRASS SOD	AS SHOWN ON PLAN
3	4	24" BOX	ARCHONOPHORUM ALEXANDRE	ALEXANDRA PALM, KING PALM	AS SHOWN ON PLAN
4	AS SHOWN		TRACHELOSPODIUM VASINODIOS (SHRUB)	STAR YUQUINE (Shrub)	AS SHOWN ON PLAN
5	5		BELCYNIA GEBBII	SILVER LADY FERN	AS SHOWN ON PLAN
6	AS SHOWN		MISCELLANEOUS PLANT	MISCELLANEOUS PLANT	AS SHOWN ON PLAN



- LEGEND:**
- 1. ROOTBALL DEPTH
 - 2. 1/2 ROOTBALL DEPTH FOR TREES 15 GAL. TO 24" BOX FOR TREES 36" AND LARGER THIS DISTANCE SHALL BE 12"
 - 3. 1/2 ROOTBALL WIDTH
 - 4. 2 INCHES THE ROOTBALL WITH
 - 5. CROWN OF PLANT TO BE PLANTED 1" ABOVE FINISH
 - 6. 2" DEEP WATERING BASK ON TOP BEHIND PRIOR TO HYDRATIONING F IN TUBS
 - 7. FINISH GRADE
 - 8. ROOTBALL
 - 9. PREPARED BACKFILL MIX - SEE SPECS.
 - 10. NAME EARTH
 - 11. PREPARED BACKFILL MIX COMPACTED TO AVOID SETTLING - SEE SPECS.

DATE	SCALE	DESIGNED BY
June 27, 2017	AS SHOWN	RC



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KILLING FIELDS MEMORIAL CENTER, Inc.
1501 E. Anaheim St, Long Beach, CA 90813

REV.	DESCRIPTION	DATE
A-7	XXX/XXX/XXXX	

DATE: June 27, 2017
SCALE: AS SHOWN
DESIGNED BY: RC

A-7