

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

1 SECOND AMENDMENT TO PERMIT NO. 27276 BETWEEN CITY OF  
2 LONG BEACH AND HARBOR BREEZE, INC.

3 **27276**

4 THIS SECOND AMENDMENT TO PERMIT NO. 27276 is made and  
5 entered, in duplicate, as of JUNE 7 2011, for reference purposes only, by  
6 and between the CITY OF LONG BEACH, a municipal corporation ("City") and the  
7 HARBOR BREEZE, INC., a California corporation ("Permittee").

8 WHEREAS, City and Permittee entered into Permit No. 27276 pursuant to a  
9 minute order approved by the City Council of the City of Long Beach on April 24, 2001 to  
10 use and occupy portions of the docks, the slips and end ties in Rainbow Harbor for  
11 embarking and disembarking passengers in connection with charters, harbor cruises and  
12 whale watching tours; and

13 WHEREAS, City Council for the City of Long Beach authorized a Permit  
14 with Permittee for five years with an option to extend the term for three (3) additional  
15 periods, each for five (5) years, upon the mutual consent in writing by the City Manager  
16 and Permittee, provided that Permittee shall submit a written request to extend and  
17 provided that Permittee is not in default; and

18 WHEREAS, on April 15, 2008, the Parties executed the First Amendment to  
19 exercise an option and extend the term for additional five years; and

20 WHEREAS, the Parties now desire to exercise the remaining two options  
21 and extend the term of the Permit for the remaining ten (10) years as provided;

22 NOW, THEREFORE, in consideration of the mutual terms, covenants and  
23 conditions contained in the Permit and herein, the parties agree as follows:

24 1. Section 3 of Permit No. 27276 is hereby amended in its entirety to read  
25 as follows:

26 "3. TERM:

27 The term of this Permit shall commence on May 1, 2011 and shall terminate  
28 on April 30, 2021. Upon termination of this Permit (whether by lapse of time or

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1 otherwise), Permittee shall quit and surrender possession of the Permit Area and remove  
2 its personal property therefrom.”

3 2. Except as expressly stated herein, all of the terms, covenants, and  
4 conditions of Permit No. 27276 are ratified and confirmed and shall remain in full force  
5 and effect.

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

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HARBOR BREEZE, INC., a California corporation

6/13/11, 2011

By Ralph W. Saks

Title President

6/13, 2011

By [Signature]

Title Vice President

“Permittee”

CITY OF LONG BEACH, a municipal corporation

7.19, 2011

By [Signature] Assistant City Manager  
City Manager

“City”

EXECUTED PURSUANT  
TO SECTION 301 OF  
THE CITY CHARTER.

This Second Amendment to Permit No. 27276 is approved as to form on  
June 29, 2011.

ROBERT E. SHANNON, City Attorney

By [Signature]  
Deputy