

1 FIRST AMENDMENT TO PERMIT NO. 29814

2 **29814**

3 THIS FIRST AMENDMENT TO PERMIT NO. 29814 is made and entered,  
4 in duplicate, as of April 7, 2009, for reference purposes only, pursuant to a minute order  
5 adopted by the City Council of the City of Long Beach at its meeting on August 2, 2005,  
6 by and between THE CITY OF LONG BEACH, a Municipal corporation ("City") and  
7 AMERICAN CATAMARAN CHARTER SERVICES, LLC, an Oregon limited liability  
8 Company, doing business as NEW STAR ONE ("Permittee").

9 WHEREAS, City granted Permittee permission to use and occupy portions  
10 of the docks, the slips and end ties in the Rainbow Harbor; and

11 WHEREAS, the parties desire to amend this permit by extending the term;

12 NOW, THEREFORE, in consideration of the mutual terms and conditions in  
13 Permit No. 29814, the parties agree as follows:

14 1. Section 3 of Permit No. 29814 is hereby amended in its entirety to  
15 read as follows:

16 "1. The first extended term of this Permit shall commence on January 1,  
17 2009 and shall terminate on December 31, 2011. This Permit may be extended for one  
18 (1) additional period of (3) three years at the sole discretion of the City Manager.  
19 Notwithstanding the foregoing, either party may terminate this Permit at any time for any  
20 or no reason upon sixty (60) days' written notice to the other party. Upon termination of  
21 this Permit (whether by lapse of time or otherwise), Permittee shall quit and surrender  
22 possession of the Permit Area and remove its personal property therefrom.

23 2. Except as expressly stated herein, all of the terms, covenants, and  
24 conditions of Permit No. 29814 are ratified and confirmed and shall remain in full force  
25 and effect.

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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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Permittee consents to and agrees to perform the terms, covenants, and conditions imposed on Permittee under this Permit during the renewal period.

AMERICAN CATAMARAN CHARTER SERVICES, LLC an Oregon limited liability company doing business as NEW STAR ONE

May 20, 2009

By [Signature]

Pres.

May 20, 2009

By [Signature]

Title

Pres

Title

"Permittee"

CITY OF LONG BEACH, a municipal corporation

June 16, 2009

By [Signature] Assistant City Manager  
City Manager

"City"

TO BE RETURNED TO THE CITY CLERK

This First Amendment to Permit No. 29814 is approved as to form on

June 2, 2009.

ROBERT E. SHANNON, City Attorney

By [Signature] Deputy