

1 FIRST AMENDMENT TO AGREEMENT NO. 34501

2 **34501**

3 THIS FIRST AMENDMENT TO AGREEMENT NO. 34501 is made and  
4 entered into, in duplicate, pursuant to a minute order adopted by the City Council of the  
5 City of Long Beach at its meeting on April 19, 2016, by and between BEACH OIL  
6 MINERALS PARTNERS, LLC (BOMP)("Applicant"), and the CITY OF LONG BEACH, a  
7 municipal corporation ("City").

8 WHEREAS, the parties entered Agreement No. 34501 ("Agreement")  
9 whereby Applicant agreed to reimburse City for costs incurred by City for project  
10 management for entitlements for wetlands restoration of a portion of property at 6433  
11 East Second Street and relocation of oil facilities to 6701 East Pacific Coast Highway set  
12 forth in Exhibit "A" of the Agreement; and

13 WHEREAS, the parties desire to extend the term;

14 NOW, THEREFORE, in consideration of the terms and conditions in the  
15 Agreement and in this First Amendment, the parties agree as follows:

16 1. Section 10 of Agreement No. 34501 is hereby amended to read as  
17 follows:

18 "10. This Agreement shall commence effective as of  
19 January 1, 2016 and shall terminate on April 1, 2018 (the "Termination  
20 Date") unless sooner terminated as provided below. However, the Parties  
21 may mutually agree in writing to extend the term of this Agreement by  
22 negotiating such extension at least sixty (60) calendar days prior to the  
23 Termination Date. Notwithstanding anything to the contrary contained in  
24 this Agreement, in no event shall the term of this Agreement extend beyond  
25 the end of the month in which an extension is completed and entered into by  
26 the Parties.

27 2. Except as expressly amended in this First Amendment, all terms and  
28 conditions in Agreement No. 34501 are ratified and confirmed and shall remain in full

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

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1 force and effect.

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

4 BEACH OIL MINERALS PARTNERS,  
5 LLC, a limited liability company

6 April 4, 2017

7 By [Signature]  
8 Michael Barnett  
9 Name (Print or type)  
10 Secretary of Managing Member  
11 Title

12 April 4, 2017

13 By [Signature]  
14 Michael Rios  
15 Name (Print or type)  
16 Treasurer  
17 Title

18 "Applicant"

19 CITY OF LONG BEACH, a municipal  
20 corporation

21 April 18, 2017

22 By [Signature]  
23 City Manager

EXECUTED PURSUANT  
TO SECTION 301 OF  
THE CITY CHARTER.

24 "City" Assistant City Manager

25 This First Amendment to Agreement No. 34501 is approved as to form on

26 4/12, 2017.

27 CHARLES PARKIN, City Attorney

28 By [Signature]  
Deputy