

1 SECOND AMENDMENT TO LEASE NO. 26484

2 **26484**

3 THIS SECOND AMENDMENT TO LEASE NO. 26484 is made and entered,
4 in duplicate, as of July 13, 2016, 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 July 12, 2016, by
6 and between 444 W. OCEAN LLC, an Arizona limited liability company ("Lessee"), and the
7 CITY OF LONG BEACH, a California municipal corporation ("Lessor").

8 WHEREAS, Lessor and Lessee entered into that certain Lease (the "Lease")
9 dated for reference purposes as of August 17, 1999, pursuant to which Lessor leased
10 certain real property to Lessee consisting of approximately 16,743 square feet of City-
11 owned property beneath the Queensway Bridge; and

12 WHEREAS, Lessor and Lessee entered into a First Amendment to the Lease
13 dated as of January 3, 2007 to extend the term and provide for fair market rental
14 adjustments; and

15 WHEREAS, the parties desire to amend the Use of the Property;

16 NOW, THEREFORE, in consideration of the mutual terms, covenants and
17 conditions contained in the Lease and herein, the parties agree as follows:

18 1. Section 5 of the Lease is hereby amended and restated in its entirety
19 to read as follows:

20 "5. The Property may be used for temporary construction staging for the
21 residential development at 442 W. Ocean Boulevard, parking of motor vehicles, delivery
22 and move-in loading. The parties agree that this Lease covers only the surface of the
23 Property and only so much of the subsurface, if any, as is reasonably necessary for
24 Tenants' use of the Property as permitted herein."

25 2. Except as expressly amended herein, all terms, covenants and
26 conditions in the Lease and the First Amendment are ratified and confirmed and shall
27 remain in full force and effect.

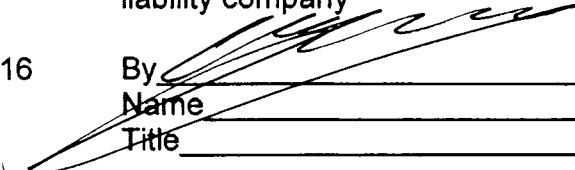
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OFFICE OF THE CITY ATTORNEY
CHARLES PARKIN, City Attorney
333 West Ocean Boulevard, 11th Floor
Lona Beach, CA 90802-4664

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

3 444 W. OCEAN LLC, an Arizona limited
4 liability company

5 July 5, 2016, 2016

By 
Name _____
Title _____

7 "Lessee"

8 CITY OF LONG BEACH, a municipal
9 corporation

10 8/25/, 2016

By  EXECUTED PURSUANT
TO SECTION 301 OF
THE CITY CHARTER.

City Manager

Assistant City Manager

12 "Lessor"

13 This Second Amendment to Lease No. 26484 is approved as to form on

14 July 13, 2016.

15 CHARLES PARKIN, City Attorney

16 By 
17 Deputy

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