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

FIRST AMENDMENT TO PERMIT NO. 32943

THIS FIRST AMENDMENT TO PERMIT NO. 32943 is made and entered pursuant to a minute order adopted by the City Council of the City of Long Beach ("City"), at its meeting on December 18, 2012, by and between THE CITY OF LONG BEACH and FRIENDS OF COLORADO LAGOON, ("Permittee").

WHEREAS, City granted Permittee, its contractors, agents and employees (collectively, the "Permittee Parties"; individually, a "Permittee Party") the exclusive right to enter the perimeter area surrounding Colorado Lagoon, ("Permitted Area") for the purpose of providing vegetation restoration and maintenance and Permittee has requested to continue such operation under Permit No. 32943 solely at Colorado Lagoon and City is willing to permit this continued use under the Permit;

NOW THEREFORE, in consideration of the mutual terms and conditions in Permit No. 32943, the parties agree as follows:

- 1. Section 3 of Permit No. 32943 is hereby deleted and amended in it's entirety as follows:
 - "3. <u>Duration of Permit.</u>
 - A. Permission to enter shall begin October 1, 2014 and terminate on September 30, 2016, unless sooner terminated as provided in this Permit, or unless the services to be performed hereunder or the project are completed sooner. With the consent of City, Permittee shall have one (1) option to renew the Permit for two (2) years."

It is also expressly understood and agreed that termination of this Right of Entry Permit will result in the immediate termination of Permittee's Lease Agreement.

B. Within fifteen (15) days of revocation of this Permit, Permittee shall cease entry and shall cause all Permittee Parties to cease entry on the Permitted Area, shall remove all equipment, supplies, and personal property and shall leave

the Permitted Area in a clean, neat and safe condition. Any supplies, equipment, and personal property which are not removed within the fifteen (15) day period shall become the property of the City without payment by or liability of any kind on the part of the City."

2. Except as expressly stated herein, all of the terms, covenants, and conditions of Permit No. 32943 are ratified and confirmed and shall remain in full force and effect.

IN WITNESS WHEREOF, the parties have executed this First Amendment with all formalities required by law as of the date first written above.

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	FRIENDS OF COLORADO LAGOON, a Nonprofit for Public Benefit
<u>OC</u> +.5, 2014	By CWlutciaff President Christine Whitcraft Type or Print Name
	By aluen M. Secretary
	Type or Print Name
	"PERMITTEE"
	CITY OF LONG BEACH, a municipal corporation Assistant City Manager
Dated: November 25, 2014	By: EXECUTED PURSUANT TO SECTION 301 OF THE CITY CHARTER. City Manager
	"CITY"
This First Amendment to Permit No. 32943 is approved as to form on	
November 6, 2014.	
	CHARLES PARKIN, City Attorney
	By: Deputy





