

SECOND AMENDMENT TO PERMIT NO. 32943

32943

THIS SECOND AMENDMENT TO PERMIT NO. 32943 is made and entered, in duplicate, as of September 21, 2016 for reference purposes only, pursuant to a minute order adopted by the City Council of the City of Long Beach at its meeting held on December 18, 2012, by and between FRIENDS OF COLORADO LAGOON, a nonprofit for public benefit corporation ("Permittee") whose address is 6475 Pacific Coast Highway, #252, Long Beach, California 90803, and the CITY OF LONG BEACH, a municipal corporation ("City").

WHEREAS, City and Permittee entered into Permit No. 32943 wherein City granted Permittee, its contractors, agents and employees the exclusive right to enter the perimeter area surrounding Colorado Lagoon ("Permitted Area") for the purpose of providing vegetation restoration and maintenance; and

WHEREAS, City and Permittee desire to amend the Permit by extending the term; and

NOW, THEREFORE, in consideration of the mutual terms and conditions herein, the parties agree as follows:

1. Section 3.A of Permit No. 32943 is hereby amended in its entirety to read as follows:

"A. Permission to enter shall begin at midnight on October 1, 2012, and shall terminate on September 30, 2018, unless sooner terminated as provided in this Permit, or unless the services to be performed hereunder or the project are completed sooner.

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

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

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

3 FRIENDS OF COLORADO LAGOON, a
4 nonprofit for public benefit corporation

5 October 30, 2016

By C. Whitcraft
6 Name Christine Whitcraft
7 Title President

8 Oct 30, 2016

By D. W. Pizarri
9 Name DAVE PIZARRI
10 Title TREASURER

11 "Permittee"

12 CITY OF LONG BEACH, a municipal
13 corporation

14 March 6, 2016

By [Signature]
15 City Manager
16 Assistant City Manager
17 "City"

EXECUTED PURSUANT
TO SECTION 301 OF
THE CITY CHARTER.

18 This Second Amendment to Permit No. 32943 is approved as to form on

19 2/22, 2016.⁷

20 CHARLES PARKIN, City Attorney

By [Signature]
21 Deputy