

FIRST AMENDMENT TO LEASE NO. 35559

35559

THIS FIRST AMENDMENT TO LEASE NO. 35559 is made and entered, in duplicate, as of December 16, 2020, for reference purposes only, pursuant to a minute order adopted by the City Council of the City of Long Beach at its meeting on May 5, 2020, by and between JANET M. TODD, an individual, DBA TODDS CHRISTMAS TREES, a California corporation ("Lessee"), and the CITY OF LONG BEACH, a municipal corporation ("Lessor").

WHEREAS, Lessor and Lessee entered into Lease No. 35559 (the "Lease"), whereby Lessor leased a portion of the former Pacific Electric Right-of-Way located between 7th Street and Ximeno Avenue to Lessee for the operation of a seasonal Christmas tree lot; and

WHEREAS, Lessor and Lessee desire to amend the Lease by extending the term;

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

1. Section 2 of the Agreement is hereby amended to read as follows.

"Term. The term of this Lease shall commence at 12:01 a.m. on October 1, 2020 and shall terminate at midnight on December 31, 2020 and shall resume at 12:01 a.m. on October 1, 2021 and shall terminate at midnight on December 31, 2021, unless sooner terminated as provided herein. Lessor shall have the option to extend the term of this Lease for one (1) additional three-month period, from October 1st to December 31st, for the year 2022, at the discretion of the City Manager or designee. Either party shall have the right to terminate this Lease for any reason or no reason by giving thirty (30) calendar days prior written notice to the other party no later than March 1 of each year."

2. Except as expressly modified herein, all of the terms and conditions contained in Lease No. 35559 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 above.

JANET M. TODD, an individual, DBA
TODDS CHRISTMAS TREES

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4
5 January 3, 2021

By Janet M. Todd
Name Janet M. Todd
Title OWNER

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7 1-3, 2021

By Mike Todd
Name Mike Todd
Title SON

8
9 "Lessee"

10 CITY OF LONG BEACH, a municipal
11 corporation

12 _____, 20__

By _____
City Manager

14 "Lessor"

15 This First Amendment to Lease No. 35559 is approved as to form on

16 _____, 20__.

18 CHARLES PARKIN, City Attorney

19 By _____
Deputy

OFFICE OF THE CITY ATTORNEY
CHARLES PARKIN, City Attorney
411 West Ocean Boulevard, 9th Floor
Long Beach, CA 90802-4664

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 above.

3 JANET M. TODD, an individual, DBA
4 TODDS CHRISTMAS TREES

5 January 3, 2021

By Janet M. Todd
Name Janet M. Todd
Title OWNER

7 1-3, 2021

By Mike Todd
Name Mike Todd
Title SON

9 "Lessee"

10 CITY OF LONG BEACH, a municipal
11 corporation

12 January 29, 2021

By Linda J. Jabum
City Manager

14 "Lessor"

EXECUTED PURSUANT
TO SECTION 301 OF
THE CITY CHARTER

15 This First Amendment to Lease No. 35559 is approved as to form on

16 JANUARY 6, 2021

17 CHARLES PARKIN, City Attorney

18 By [Signature]
19 Deputy
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