

LEONARD PUTNAM
CITY ATTORNEY OF LONG BEACH
600 CITY HALL
LONG BEACH, CALIFORNIA 90802
TELEPHONE 436-9041

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RECREATION PARK OIL AND GAS LEASE
AMENDMENT REDUCING BOND

WHEREAS, on the 6th day of September, 1962, an oil and gas lease entitled Recreation Park Oil and Gas Lease was made and entered into by and between the City of Long Beach, a municipal corporation, and Alamitos Land Company, a California corporation, as Lessors, and J. A. Campbell and H. H. Herder, a copartnership, and J. A. Campbell, an individual, collectively doing business as Herbell Oil Exploration Company, Lessees, wherein lessors demised certain real property to lessees situated in the City of Long Beach, County of Los Angeles, State of California, more particularly described in said lease attached hereto and made a part hereof and for the term and upon the covenants and conditions set forth in said lease; and

WHEREAS, said J. A. Campbell, one of the lessees, died on May 31, 1965; and

WHEREAS, all the right, title and interest of said J. A. Campbell in and to said business known as Herbell Oil Exploration Company, both individually and as copartner with H. H. Herder, including all of his right, title and interest in and to said Recreation Park Oil and Gas Lease, and including the right of recoupment for all moneys advanced by said J. A. Campbell to said business known as Herbell Oil Exploration Company, was distributed share and share alike to his three children, to wit: MALCOLM EDWIN CAMPBELL, RALPH K. CAMPBELL, M.D., and VIRGINIA CAMPBELL GRANEY; and

WHEREAS, said Virginia Campbell Graney and Don H. Graney, husband and wife, have assigned their interest in the aforesaid oil and gas lease to Malcolm Edwin Campbell and Ralph K. Campbell, M.D.; and

WHEREAS, the lessees of such oil and gas lease are

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1 now Malcolm Edwin Campbell, Ralph K. Campbell, M.D., and H. H.
2 Herder, doing business as Herbell Oil Exploration Company; and

3 WHEREAS, such lessees are desirous of, and the City
4 of Long Beach and Alamitos Land Company are willing, to reduce
5 the bond provided in Section 59 of such lease;

6 NOW, THEREFORE, in consideration of the faithful per-
7 formance by the lessees of the terms and conditions of such
8 Recreation Park Oil and Gas Lease, Section 59 thereof is amended
9 to read as follows:

10 "59. The Lessee, concurrently with its execu-
11 tion of this lease, shall furnish to the Lessors,
12 and throughout the term of this lease and any exten-
13 sion or renewal thereof, shall keep in full force
14 and effect a good and sufficient surety bond in the
15 sum of Sixty Thousand Dollars (\$60,000.00), or in
16 lieu of such surety bond, Lessee may deposit with the
17 Lessors an equivalent amount in cash or negotiable
18 securities to assure Lessee's full, prompt and faith-
19 ful performance of all the terms, covenants and con-
20 ditions of this lease on Lessee's part to be kept and
21 performed. Any surety bond submitted to the Lessors
22 pursuant to this paragraph shall be procured from a
23 surety company authorized to transact a surety busi-
24 ness in the State of California, and to be approved
25 in the manner prescribed by the Charter of the City
26 of Long Beach. The surety company issuing said bond
27 may terminate said bond on any anniversary date
28 thereof by giving the City Manager of the City of
29 Long Beach written notice of its intention to do so
30 at least thirty (30) days prior to the next anniversary
31 date of said bond, and said bond shall thereupon termi-
32 nate on such anniversary date. If any surety bond

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1 is terminated as provided above, Lessee shall, within
2 a reasonable time prior to the effective date of such
3 termination, either procure another surety bond
4 acceptable to Lessors or deposit with Lessors cash or
5 negotiable securities in the amount and in accordance
6 with the conditions set forth herein.

7 "If Lessee elects to deposit negotiable securi-
8 ties in lieu of a surety bond or cash as provided for
9 hereinabove, such negotiable securities must be
10 acceptable to the Lessors and be of such kind and
11 nature as to be readily convertible into cash by
12 Lessors without further execution of any documents or
13 endorsements on the part of the Lessee. The decision
14 to accept or refuse any negotiable securities offered
15 by Lessee shall rest solely with the Lessors.

16 "Any cash or negotiable securities deposited
17 with Lessors pursuant to the provisions hereof may be
18 used by Lessors to compensate it for any loss or dam-
19 age resulting from Lessee's failure to fully, promptly
20 and faithfully perform to the satisfaction of the City
21 Manager of the City of Long Beach all of the terms,
22 covenants and conditions of this lease on Lessee's
23 part to be kept and performed.

24 "IF any part of the cash or negotiable securities
25 remains unused after the Lessors' loss or damage has
26 been compensated as provided above, such remaining
27 cash or securities shall be returned to Lessee within
28 ten (10) days thereafter. Should the City Manager of
29 the City of Long Beach determine that no default has
30 occurred and the Lessors had not been damaged by any
31 of Lessee's acts hereunder, then the Lessors will
32 return the cash or securities in their possession

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within ten (10) days after such determination by the City Manager of the City of Long Beach, and in any event no later than twenty (20) days after the expiration of this lease. Should the cash or securities on deposit with the Lessors hereunder be insufficient to compensate the Lessors for their loss due to Lessee's failure to comply with the terms and conditions of this lease, Lessee shall be liable for any deficiencies resulting therefrom."

This amendment shall become effective upon the City receiving a bond in accordance with the foregoing.

IN WITNESS WHEREOF, the parties hereto have executed this Recreation Park Oil and Gas Lease Amendment Reducing Bond on this 26th day of September, 1967.

MALCOLM EDWIN CAMPBELL, RALPH K. CAMPBELL, M.D., and H. H. HERDER, collectively doing business as HERBELL OIL EXPLORATION COMPANY

Aug 11, 1967, 1967 By Malcolm Edwin Campbell
Malcolm Edwin Campbell

August 23, 1967 By Ralph K. Campbell, M.D.
Ralph K. Campbell, M.D.

Aug 16 7, 1967 By H. H. Herder
H. H. Herder

CITY OF LONG BEACH, a municipal corporation

SEP 26 1967, 1967 By [Signature]
City Manager

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ALAMITOS LAND COMPANY, a
California Corporation

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September 1, 1967

By [Signature]
President

September 1, 1967

By [Signature]
Secretary

OREGON
STATE OF CALIFORNIA)
MULTNOMAH) ss.
COUNTY OF LOS ANGELES)

On this 11th day of August, 1967,
before me, the undersigned, a Notary Public in and for said
County and State, personally appeared MALCOLM EDWIN CAMPBELL,
known to me to be the person whose name is subscribed to the
within instrument, and acknowledged to me that he executed the
same on his own separate behalf.

[Signature]
Notary Public in and for said
County and State

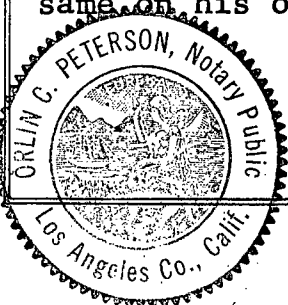
My Commission Expires: NOTARY PUBLIC FOR OREGON
My Commission Expires Sept. 23, 1968

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss.

On this 29th day of AUGUST, 1967,
before me, the undersigned, a Notary Public in and for said
County and State, personally appeared RALPH K. CAMPBELL, M.D.,
known to me to be the person whose name is subscribed to the
within instrument, and acknowledged to me that he executed the
same on his own separate behalf.

[Signature]
Notary Public in and for said
County and State

My Commission Expires: APRIL 15, 1969



1 STATE OF CALIFORNIA)
2 COUNTY OF LOS ANGELES) ss.

3 On this 16th day of August, 1967,
4 before me, the undersigned, a Notary Public in and for said
5 County and State, personally appeared H. H. HERDER, known to me
6 to be the person whose name is subscribed to the within instru-
7 ment, and acknowledged to me that he executed the same on his
8 own separate behalf.



9
10 Orlin C. Peterson
11 Notary Public in and for said
12 County and State

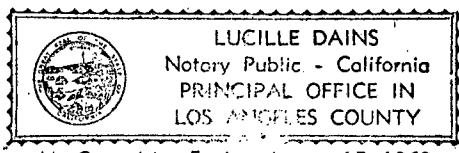
13 My Commission Expires: Apr. 15, 1969

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16 STATE OF CALIFORNIA)
17 COUNTY OF LOS ANGELES) ss.

18 On this 26th day of September, 1967,
19 before me, Lucille Dains, a Notary Public
20 in and for said County and State, personally appeared JOHN R.
21 MANSELL, known to me to be the duly appointed and acting City
22 Manager of the City of Long Beach, the municipal corporation
23 that executed the within instrument, known to me to be the per-
24 son who executed the within instrument on behalf of the municipal
25 corporation therein named, and acknowledged to me that such cor-
26 poration executed the same.

27 IN WITNESS WHEREOF, I have hereunto set my hand and
28 affixed my official seal the day and year in this certificate
29 first above written.



30
31 Lucille Dains
32 Notary Public in and for said
County and State

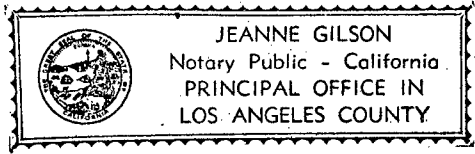
My Commission Expires August 15, 1969
My Commission Expires: August 15, 1969

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STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss.

On this 1st day of September, 1967,
before me, Jeanne Gilson, a Notary Public in
and for said County and State, personally appeared
Llewellyn Bixby, Jr., known to me to be the
President, and Darrell Neighbors, known to me to
be the Secretary, of ALAMITOS LAND COMPANY,
the corporation that executed the within instrument, and known
to me to be the person(s) who executed the within instrument on
behalf of the corporation herein named, and acknowledged to me
that such corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and
affixed my official seal on the day and year in this certificate
first above written.



Jeanne Gilson
Notary Public in and for said
County and State

My Commission Expires: April 26, 1970

The foregoing Recreation Park Oil and Gas Lease 20
Amendment Reducing Bond is hereby approved as to form this 18th
day of September, 1967.

LEONARD PUTNAM, City Attorney
By Arnold A. Lytle
Deputy

HAL:mlf
7-31-67
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