

OFFICE OF THE CITY ATTORNEY
ROBERT E. SHANNON, City Attorney
333 West Ocean Boulevard, 11th Floor
Long Beach, CA 90802-4664

1 THIRD AMENDMENT TO LEASE NO. 16419

2 **16419**

3 THIS THIRD AMENDMENT TO LEASE NO. 16419 ("Third Amendment") is
4 made and entered, in duplicate as of September 24, 2008, for reference purposes only,
5 pursuant to an order of the City Council of the City of Long Beach at its meeting held on
6 September 23, 2008, by and between CATALINA FLYING BOATS, INC., a California
7 corporation ("Tenant"), and the CITY OF LONG BEACH, a California municipal
8 corporation ("Landlord").

9 WHEREAS, the Landlord on August 18, 1992 authorized that certain Fixed
10 Base Operation Lease No. 16419 with Tenant dated May 13, 1992 (as amended, the
11 "Lease"), which was later amended by that Amendment to Fixed Base Operation Lease
12 dated June 25, 1993, and further amended by that certain Second Amendment to Fixed
13 Base Operations Lease dated March 1, 2000. Pursuant to the Lease, Tenant leases
14 approximately 1.241 acres of land as more particularly shown in the Lease ("Premises");
15 and

16 WHEREAS, the term of the Lease expires on May 12, 2017; and

17 WHEREAS, the parties wish to extend the term of the Lease and otherwise
18 amend certain terms and conditions of the Lease as described in this Amendment;

19 NOW, THEREFORE, in consideration of the mutual terms and conditions
20 contained herein, the receipt and sufficiency of which are hereby acknowledged, the
21 parties agree as follows:

22 1. Term. The term of this Lease shall be extended beginning May 13,
23 2017 and shall terminate at midnight on May 31, 2048.

24 2. Additional Rent. Beginning on October 1, 2008 and continuing
25 monthly thereafter for the term of the Lease as extended by this Third Amendment,
26 Tenant shall pay to Landlord monthly additional rent payments in the amount of Six
27 Hundred Twelve and 24/100 Dollars (\$612.24). The additional rent payments reflect a
28 lease extension fee of \$87,951 amortized at eight percent (8%) over the remaining term

1 of the Lease. The additional rent payments made under this Paragraph 2 shall be in
2 addition to the rent to be paid under Section 7 of the Lease and in addition to all other
3 amounts which may otherwise be payable by Tenant under the Lease.

4 3. Except as amended herein, the terms and conditions of the Lease
5 are ratified and confirmed and shall remain unchanged and in full force and effect.

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

8 CATALINA FLYING BOATS, INC.,
9 a California corporation

10 September 17, 2008

By: [Signature]
Name: Tom Dem
Title: President

13 September 17, 2008

By: [Signature]
Name: Steve Franklin
Title: Vice President

16 9.24, 2008

15 CITY OF LONG BEACH
By: [Signature] Assistant City Manager
City Manager

**EXECUTED PURSUANT
TO SECTION 301 OF
THE CITY CHARTER.**

18 This Third Amendment to Lease No. 16419 is approved as to form on
19 9.24, 2008.

20 ROBERT E. SHANNON, City Attorney
By: [Signature]
Deputy

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