

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

1 SECOND AMENDMENT TO LEASE NO. 27959

2 27959

3 THIS SECOND AMENDMENT TO AGREEMENT NO. 27959 is made and
4 entered, in duplicate, as of October 1, 2012 for reference purposes only, pursuant to an
5 order adopted by the City Council of the City of Long Beach at its meeting on May 14,
6 2002, by and between THE GONDOLA GETAWAY, INC. ("LESSEE"), whose address is
7 5437 E. Ocean Boulevard, Long Beach, CA 90803, and the CITY OF LONG BEACH, a
8 municipal corporation organized and trust grantee of the State of California of certain tide
9 and submerged lands within said City ("City" or "LESSOR").

10 WHEREAS, on May 14, 2002, by minute order, the City Council of the City
11 of Long Beach approved a lease between LESSEE and the LESSOR and authorized the
12 City Manager to execute the same. Pursuant to said authorization, the parties hereto
13 executed a lease for a ten (10) year term with two five-year options to extend; and

14 WHEREAS, the parties now desire to extend the lease for another ten (10)
15 year term;

16 NOW, THEREFORE, in consideration of the mutual terms, covenants and
17 conditions in Lease No. 27959 and herein, the parties agree as follows:

18 1. The above recitals are true and correct and are incorporated herein
19 by this reference.

20 2. Paragraph 3 of Lease No. 27959 dated as of May 14, 2002, is
21 hereby amended in its entirety to read as follows:

22 "3. TERM: The term of this Lease shall be extended for five (5) years
23 commencing on May 1, 2012 and terminating on April 30, 2017. At the option of the
24 Lessor, this Lease may be extended with one (1), five (5) year option to extend subject to
25 the approval of the City Manager provided that:

26 A. At least ninety (90) days before the expiration of the initial
27 term, LESSEE gives written notice of its desire to so extend the term, and is
28 not in default: of any of the terms and conditions of this Lease.

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B. During the extended term, all other terms and conditions of this Permit shall continue in full force and effect."

3. Except as expressly amended herein, all of the terms, covenants, and conditions in Lease No. 27959 are ratified and confirmed and shall remain in full force and effect.

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

THE GONDOLA GETAWAY, INC., a California corporation

Date: OCT 1, 2012

By [Signature]
President
By [Signature]
Secretary

"LESSEE"

CITY OF LONG BEACH, a municipal corporation

Date: 11.20, 2012

By [Signature] Assistant City Manager
City Manager

"LESSOR"

EXECUTED PURSUANT TO SECTION 301 OF THE CITY CHARTER.

This Second Amendment to Lease No. 27959 is approved as to form on OCT. 30, 2012

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