

Bank of America

Amendment Number 1
to Master Lease Agreement dated October 1, 2015

34022

This Amendment Number 1 (this "Amendment") is made this 16th day of August 2016 to the Master Lease Agreement dated as of October 1, 2015 (together with all schedules, addenda, amendments, riders, and other documents and instruments thereto, the "Agreement") between Banc of America Public Capital Corp ("Lessor") and City of Long Beach ("Lessee").

WITNESSETH:

WHEREAS, Lessor and Lessee are parties to the Agreement; and

WHEREAS, Lessor and Lessee desire to amend certain provisions of the Agreement;

NOW, THEREFORE, in consideration of the premises and the mutual obligations hereinafter contained, and for other good and valuable consideration, the receipt whereof is hereby acknowledged, the parties hereto agree as follows:

1. The Agreement is hereby amended by deleting the definition of Initial Term in Section I and replacing it with the following:

"Initial Term" means the period from the Dated Date to midnight on September 30, 2016."

2. It is the intention of Lessor and Lessee that, upon execution, this Amendment shall constitute a part of the Agreement. Except as amended hereby, the Agreement shall remain in full force and effect and is in all respects hereby ratified and affirmed. To the extent that the provisions of this Amendment conflict with the provisions of the Agreement, the provisions of this Amendment shall control. Capitalized terms not otherwise defined herein shall have the meanings ascribed them in the Agreement. All other financial terms and conditions contained herein that are not specifically defined herein shall have meanings determined in accordance with generally accepted accounting principles consistently applied. This Amendment shall apply to all Schedules now existing (except any Schedules which Lessor has assigned to a third party or which are entered into by a third party unless such third party has approved or consented to this Amendment) or hereafter entered into under the Agreement.

IN WITNESS WHEREOF, the parties hereunto have caused this instrument to be executed by their duly authorized officers as of the day and year first above written.

Banc of America Public Capital Corp (Lessor)

By: 

Printed Name: Torri J. Preston


Title: Authorized Agent

City of Long Beach (Lessee)

By:  EXECUTED PURSUANT TO SECTION 301 OF THE CITY CHARTER.

Printed Name: Patrick H. West

Title: City Manager
Assistant City Manager

APPROVED AS TO FORM
8-17, 2016
CHARLES PARKIN, City Attorney
By: 
AMY R. WEBBER
DEPUTY CITY ATTORNEY