

THIRD AMENDMENT TO EXCLUSIVE NEGOTIATING AGREEMENT NO. 35865

35865

THIS THIRD AMENDMENT TO EXCLUSIVE NEGOTIATING AGREEMENT NO. 35865 (this "First Amendment") is entered into as of NOV. 16, 2021 (the "Effective Date"), by and between the CITY OF LONG BEACH, a municipal corporation ("City"), pursuant to a minute order adopted by its City Council at a meeting on June 15, 2021 and GUNDRY PARTNERS, L.P., a California limited partnership, dba Howard CDM ("Developer") (Developer and City are collectively referred to herein as the "Parties").

WHEREAS, City and Developer executed that certain Agreement to Negotiate Exclusively dated March 11, 2021 (the "ENA"), for the purchase and development of 854 E. 7th Street, more particularly described in the ENA (the "Property"); and

WHEREAS, City and Developer executed that certain First Amendment to ENA No. 35865 dated May 24, 2021 to extend the term to September 11, 2021; and

WHEREAS, City and Developer executed that certain Second Amendment to ENA No. 35865 dated June 25, 2021 to extend the term to December 11, 2021; and

WHEREAS, City and Developer again desire to amend the ENA by exercising their option to extend the term for an additional period of ninety (90) days;

NOW THEREFORE, the Parties mutually agree as follows:

1. The initial term of the ENA, as previously extended by the parties, is hereby extended for an additional period of ninety (90) days commencing on September 11, 2021 and ending on March 10, 2022. The parties have no further options to extend the term.

2. Except as amended by this Amendment, the ENA remains unchanged and in full force and effect.

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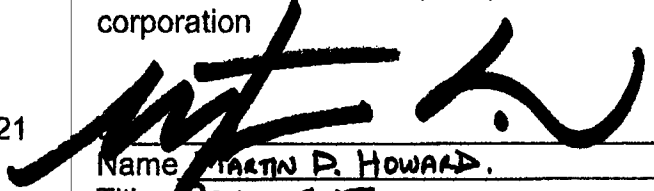
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NOW THEREFORE, City and Developer have executed this ~~Second~~ <sup>Third</sup> Amendment to Exclusive Negotiating Agreement No. 35865 as of the date first set forth above.

GUNDRY PARTNERS, LP, a California corporation

NOV 01 2021, 2021



Name MARTIN P. HOWARD.  
Title PRESIDENT

"Developer"



CITY OF LONG BEACH, a municipal corporation

November 16, 2021

By Linda F. Johnson

City Manager

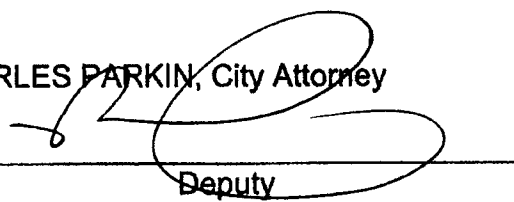
"City"

EXECUTED PURSUANT TO SECTION 301 OF THE CITY CHARTER.

This Third Amendment to Agreement No. 35865 is approved as to form on

Nov. 3, 2021.

CHARLES PARKIN, City Attorney

By   
Deputy