

John R. Calhoun
City Attorney of Long Beach
333 West Ocean Boulevard
Long Beach, California 90802-4664
(310) 570-2200

FIRST AMENDMENT TO MASTER LEASE NO. 23509.

23509

THIS FIRST AMENDMENT TO MASTER LEASE NO. 23509 is made and entered, in duplicate, as of October 28, 1994, pursuant to a minute order of the City Council of the City of Long Beach at its meeting held on October 4, 1994, by and between the CITY OF LONG BEACH, a municipal corporation, as Lessor, and BANCAP MARINA CENTER, INC., a California corporation, doing business as Alamitos Bay Marina Center, as Master Lessee.

WHEREAS, the parties entered Lease No. 23509 as of June 29, 1994 for the Alamitos Bay Marina Center, formerly known as the Marine Bazaar Building; and

WHEREAS, the parties desire to amend said Lease to include an attornment provision;

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

1. Lease No. is hereby amended by the addition of the following Article:

"Article XXXIV"

"With respect to sublessees of Master Lessee who execute subleases with Master Lessee subsequent to execution of this Lease, Master Lessee shall include language in said subleases requiring sublessees to attorn to Lessor upon the termination or expiration of this Lease and stating that said attornment shall be effective without the necessity of execution of further instruments

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by sublessees but requiring sublessees nonetheless to execute on demand such further instrument as may be reasonably required by Lessor."

2. Except as amended herein, all of the terms, covenants and conditions of Master Lease No. 23509 shall remain unchanged and in full force and effect and are hereby ratified.

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

BANCAP MARINA CENTER, INC., a California corporation, doing business as Alamitos Bay Marina Center

By *Jul W. Howard*
Title: President

By _____
Title: _____
"Master Lessee"

CITY OF LONG BEACH, a municipal corporation

By *[Signature]*
ASSISTANT City Manager

"Lessor" EXECUTED PURSUANT TO SECTION 301 OF THE CITY CHARTER.

/
/

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Long Beach, California 90802-4664
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CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

No. 5907

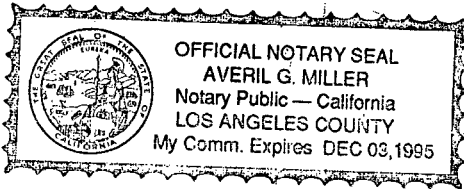
State of CALIFORNIA

County of LOS ANGELES

On OCTOBER 21, 1994 before me, AVERIL G. MILLER NOTARY PUBLIC,
DATE NAME, TITLE OF OFFICER - E.G., "JANE DOE, NOTARY PUBLIC"

personally appeared JOHN W. HANCOCK,
NAME(S) OF SIGNER(S)

personally known to me - **OR** - proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



WITNESS my hand and official seal.
Averil G. Miller
SIGNATURE OF NOTARY

OPTIONAL

Though the data below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent reattachment of this form.

CAPACITY CLAIMED BY SIGNER

- INDIVIDUAL
- CORPORATE OFFICER
- _____ TITLE(S)
- PARTNER(S) LIMITED
- GENERAL
- ATTORNEY-IN-FACT
- TRUSTEE(S)
- GUARDIAN/CONSERVATOR
- OTHER: _____
- _____
- _____

DESCRIPTION OF ATTACHED DOCUMENT

_____ TITLE OR TYPE OF DOCUMENT

_____ NUMBER OF PAGES

_____ DATE OF DOCUMENT

_____ SIGNER(S) OTHER THAN NAMED ABOVE

SIGNER IS REPRESENTING:
NAME OF PERSON(S) OR ENTITY(IES)

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This First Amendment to Master Lease No. 23509 is approved
as to form this 26th day of Oct, 1994.

JOHN R. CALHOUN, City Attorney

BY D. J. Guin Deputy

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DFG:dmp
9/14/94
BAZAAR.AMD