

OFFICE OF THE CITY ATTORNEY
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333 West Ocean Boulevard, 11th Floor
Long Beach, CA 90802-4664

ASSUMPTION AGREEMENT AND FIRST AMENDMENT TO PERMIT NO. 31244

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THIS ASSUMPTION AGREEMENT AND FIRST AMENDMENT TO PERMIT NO. 31244 is made and entered, in duplicate, as of February 9, 2018, for reference purposes only, pursuant to a minute order adopted by the City Council of the City of Long Beach at its meeting on April 15, 2008, by and between BEACH VENTURES INTERNATIONAL, INC., a California corporation, successor-in-interest to BEACH VENTURES, INC., ("Permittee") whose address is 10850 Wilshire Blvd., Suite 350, Los Angeles, California 90024, and the CITY OF LONG BEACH, a municipal corporation ("City").

WHEREAS, City and Beach Ventures, Inc. entered into Permit No. 31244 (the "Permit"), pursuant to which City granted the permission to operate a vessel mooring program adjacent to City's beaches ("Permit Area"); and

WHEREAS, Beach Ventures, Inc. recently informed City that it has been operating as Beach Ventures International, Inc. under the same ownership structure; and

WHEREAS, Beach Ventures International, Inc. desires to assume all of the right, title, interest, obligations and liabilities of Beach Ventures, Inc. under the Permit, and City desires, subject to the terms and conditions below, to consent to such assumption; and

WHEREAS, the parties also wish to extend the term of the Permit for one (1) additional five-year period;

NOW, THEREFORE, in consideration of the mutual terms, covenants, and conditions herein contained, the parties agree as follows:

1. Section 5 of the Permit is hereby amended in its entirety to read as follows:

"5. TERM. The term of this Permit shall commence at 12:01 a.m. on May 1, 2008, and shall terminate at midnight on April 30, 2023. The term may be extended for one (1) additional five-year period at the discretion of the City Manager. Notwithstanding

1 the foregoing, either party may terminate this Permit at any time for any or no reason upon
2 ninety (90) days written notice to the other party. Upon termination of this Permit (whether
3 by lapse of time or otherwise), Permittee shall quit and surrender possession of the Permit
4 Area and remove its personal property therefrom.”

5 2. Section 22 of the Permit is hereby amended to add a sentence to the
6 end of such section as follows:

7 “Notwithstanding the foregoing, (a) Beach Ventures International, Inc. hereby
8 assumes all of the right, title, interest, obligations and liabilities of Beach Ventures, Inc.
9 under the Permit, and (b) City hereby consents to the foregoing assumption. This
10 assumption shall not otherwise alter, modify or amend the Permit. Wherever the term
11 Permittee appears in the Permit, it shall refer to and apply to Beach Ventures International,
12 Inc.”

13 3. Except as expressly modified herein, all of the terms and conditions
14 contained in Permit No. 31244 are ratified and confirmed and shall remain in full force and
15 effect.

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1 Permitee consents to and agrees to perform the terms, covenants, and
2 conditions imposed on Permitee under this Permit during the renewal period.

3 BEACH VENTURES INTERNATIONAL,
4 INC., a California corporation (successor-
in-interest to BEACH VENTURES, INC.)

5 NOV 27 2018, 2018

6 By [Signature]
7 Name MOHELLE CHAMBER
8 Title PRESIDENT

9 NOV 27 2018, 2018

10 By [Signature]
11 Name JESSE ORTUFF
12 Title VICE PRESIDENT

13 "Permitee"

14 CITY OF LONG BEACH, a municipal
15 corporation

16 11/2/19, 2018

17 By [Signature]
18 City Manager

19 "City"

20 This Assumption Agreement and First Amendment to Permit No. 31244 is
21 approved as to form on 11/30, 2018.

22 CHARLES PARKIN, City Attorney

23 By [Signature]
24 Deputy

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26 CHARLES PARKIN, City Attorney
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