

OFFICE OF THE CITY ATTORNEY
CHARLES PARKIN, City Attorney
411 West Ocean Boulevard, 9th Floor
Long Beach, CA 90802-4664

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FOURTH AMENDMENT TO LEASE NO. 27959

27959

THIS FOURTH AMENDMENT TO LEASE NO. 27959 is made and entered, in duplicate, as of June 1, 2022, for reference purposes only, pursuant to a minute order adopted by the City Council of the City of Long Beach at its meeting on May 17, 2022, by and between THE GONDOLA GETAWAY, INC., a California corporation (“Lessee”), whose address is 5437 E. Ocean Boulevard, Long Beach, California 90803, and the CITY OF LONG BEACH, a municipal corporation organized and trust grantee of the State of California of certain tide and submerged lands within said City (“City” or “Lessor”).

WHEREAS, Lessor and Lessee (the “Parties”) entered into Lease No. 27959 (the “Lease”), whereby Lessor leases to Lessee real property, and improvements thereon, located in the City of Long Beach, more particularly described in the Lease; and

WHEREAS, the Parties entered into a First Amendment to the Lease to expand the lease area of operation to include Rainbow Lagoon and modify the insurance cover; and

WHEREAS, the Parties entered into a Second Amendment to the Lease to extend the term for an additional five (5) year period; and

WHEREAS, the Parties entered into a Third Amendment to extend the term for an additional five (5) year period and revise certain required services and uses;

WHEREAS, the Parties desire to extend the term for one (1) additional one year period.

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

1. Section 3 of the Lease is hereby amended to read as follows:

“3. TERM. The term of this Lease shall commence at midnight on April 30, 2002, and shall terminate at 11:59 p.m. on April 30, 2023. Lessee has no further options to extend the Lease.”

2. Except as expressly modified herein, all of the terms and conditions

1 contained in Lease No. 27959 are ratified and confirmed and shall remain in full force and
2 effect.

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

5 THE GONDOLA GETAWAY, INC., a
6 California corporation

7 June 24, 2022

By [Signature]
8 Name Michael D'Toole
9 Title President

10 June 24, 2022

By [Signature]
11 Name Jane Roeder
12 Title Financial Manager

13 "Lessee"

14 CITY OF LONG BEACH, a municipal
15 corporation

16 August 2, 2022

By [Signature]
17 City Manager

18 "Lessor"

EXECUTED PURSUANT
TO SECTION 301 OF
THE CITY CHARTER.

19 This Fourth Amendment to Lease No. 27959 is approved, as to form on
20 June 29th, 2022.

21 CHARLES PARKIN, City Attorney

By [Signature]
22 Deputy

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