

Robert E. Shannon  
City Attorney of Long Beach  
333 West Ocean Boulevard  
Long Beach, California 90802-4664  
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FIRST AMENDMENT TO SUBLEASE NO. 27349

**27349**

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THIS FIRST AMENDMENT TO SUBLEASE NO. 27349 is made and entered, in duplicate, as of February 1, 2006 for reference purposes only, pursuant to a minute order of the City Council of the City of Long Beach at its meeting on January 10, 2006, by and between the CITY OF LONG BEACH, a municipal corporation ("Sublessor"), and the LONG BEACH JUNIOR CONCERT BAND, a nonprofit corporation ("Sublessee").

WHEREAS, Sublessor originally entered a lease with the State of California Public Employees' Retirement Systems dated as of May 24, 1990 for premises more particularly described in the Lease and commonly known as 3221 Industry Drive, Signal Hill, California 90806; and

WHEREAS, the property has been sold and the Lease assigned several times and is now in the name of 3221 INDUSTRY, LLC as Landlord; and

WHEREAS, the Lease allows a sublease of the premises and Sublessor has subleased to Sublessee pursuant to that consent;

WHEREAS, the Sublease allows an extension of the term and the parties desire to so extend and increase the rent;

NOW, THEREFORE, in consideration of the mutual terms, covenants, and conditions in the Lease and in this First Amendment, the parties agree as follows:

1. Section 3(A) of Sublease No. 27349 is hereby amended to extend the term from April 1, 2006 through 11:59 p.m. on March 31, 2011.
2. Section 3(B) of Sublease No. 27349 is hereby deleted.
3. Section 4(A) of Sublease No. 27349 is hereby amended in its entirety to read as follows:

"A. Sublessee shall pay to Sublessor, within forty-five (45) days after receipt of an invoice from Sublessor, without deduction, setoff, notice, or demand the sum of \$5,607 ("Rent") per month during the initial term of the Sublease.

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1 Sublessee shall pay to Sublessor, within forty-five (45) days after receipt  
2 of an invoice from Sublessor, without deduction, setoff, notice, or demand the sum of  
3 \$6,489 per month during the extended term of the Sublease.”

4 4. Except as expressly amended in this First Amendment, all terms,  
5 covenants and conditions in Sublease No. 27349 are ratified and confirmed and shall  
6 remain in full force and effect.

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

9 LONG BEACH JUNIOR CONCERT BAND, a  
10 nonprofit corporation  
11 2-27, 2006 By J. Hulett  
President

12 2-27, 2006 By Rita A. Johnson  
Secretary

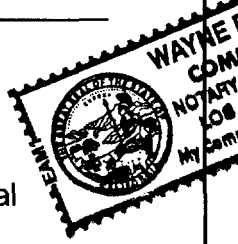
13 “Sublessee”

14 CITY OF LONG BEACH, a municipal  
15 corporation  
16 3.6., 2006 By W. [Signature]  
17 City Manager

18 “Sublessor”

19 This First Amendment to Sublease No. 27349 is approved as to form on  
20 3/2, 2006.

21 ROBERT E. SHANNON, City Attorney  
22 By [Signature]  
23 Senior Deputy



**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

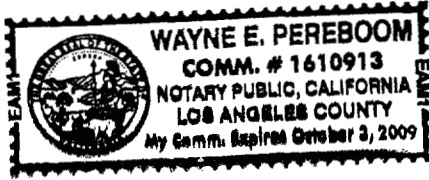
State of California

County of Los Angeles

On February 27, 2006 before me, Wayne E. Pereboom, Notary Public,  
DATE NAME, TITLE OF OFFICER-E.G., "JANE DOE, NOTARY PUBLIC"

personally appeared James Mitchell and Rita A. Johnson,

personally known to me - **OR** -  proved to me on the basis of satisfactory evidence to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same in their authorized capacities, and that by their signatures on the instrument the persons, or the entity upon behalf of which the persons acted, executed the instrument.



WITNESS my hand and official seal.

*Wayne E. Pereboom*

**OPTIONAL**



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

**CAPACITY CLAIMED BY SIGNER**

**DESCRIPTION OF ATTACHED DOCUMENT**

- INDIVIDUAL
- CORPORATE OFFICER

TITLE(S)

TITLE OR TYPE OF DOCUMENT

- PARTNER(S)       LIMITED
- GENERAL

- ATTORNEY-IN-FACT
- TRUSTEE(S)
- GUARDIAN/CONSERVATOR

OTHER: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

NUMBER OF PAGES

DATE OF DOCUMENT

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

SIGNER(S) OTHER THAN NAMED ABOVE

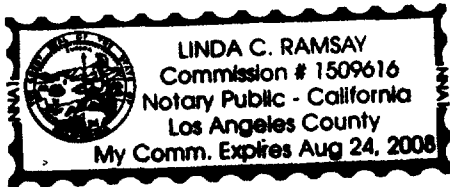
**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

State of California }  
County of Los Angeles } ss.

On MARCH 6, 2006 before me, LINDA C. RAMSAY, N.P.  
Date Name and Title of Officer (e.g., "Jane Doe, Notary Public")  
personally appeared GERALD R. MILLER  
Name(s) of Signer(s)

personally known to me  
 ~~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.

Linda C. Ramsay  
Signature of Notary Public

**OPTIONAL**

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

**Description of Attached Document**

Title or Type of Document: First Amendment to Sublease No. 27349

Document Date: Feb. 1, 2006 Number of Pages: 2

Signer(s) Other Than Named Above: \_\_\_\_\_

**Capacity(ies) Claimed by Signer**

Signer's Name: \_\_\_\_\_

- Individual
- Corporate Officer — Title(s): \_\_\_\_\_
- Partner —  Limited  General
- Attorney-in-Fact
- Trustee
- Guardian or Conservator
- Other: \_\_\_\_\_

Signer Is Representing: \_\_\_\_\_

