

FIRST AMENDMENT TO REVOCABLE USE PERMIT NO. 35019

35019

THIS FIRST AMENDMENT TO REVOCABLE USE PERMIT NO. 35019 is made and entered, as of January 4, 2023, for reference purposes only, pursuant to authorization by the PARKS AND RECREATION COMMISSION of the City of Long Beach ("Commission") at its meeting on November 20, 2014, by and between the CITY OF LONG BEACH, a municipal corporation ("City") and the LONG BEACH BOW HUNTERS, INC., a California nonprofit corporation ("Permittee"), with offices located at 2203 Vuelta Grande Avenue, Long Beach, California 90815.

WHEREAS, the City granted Permittee the non-exclusive use of the eastern portion of the Olympic Range and the Indoor/Flint Range at El Dorado Archery Range (the "Permit Area") located at 7550 East Spring Street, Long Beach, California 90815 during normal park site hours; and

WHEREAS, Permittee may use the Permit Area for the conduct of instruction, safety classes, and member practice in archery; and

WHEREAS, the parties desire to modify the use, extend the term of Permit No. 35019 and add conditions related to proposed schedule of programming;

NOW, THEREFORE, in consideration of the mutual terms and conditions in Permit No. 35019, the parties agree as follows:

1. Section 1. of Permit No. 35019 is hereby amended in its entirety to read as follows:

"1. USE.

A. Subject to and on the terms and conditions of this Permit Permittee, shall have the non-exclusive use of the eastern portion of the Olympic Range and the Indoor/Flint Range at the El Dorado Archery Range, located in El Dorado Regional Park (the "Park"), 7550 East Spring Street, Long Beach, California 90815, shown on Exhibit "A", attached hereto (the "Permit Area"). Permittee may use the Permit Area for the conduct of instruction, safety classes, and member practice in archery. The Permit Area

1 will continue to be available for use by the general public and the usability shall be
2 unaffected by this Revocable Use Permit.

3 B. Permittee shall have uninhibited use of the Permit Area between
4 8:00 a.m. and 12:00 p.m. (noon) on Sundays and between 3:00 p.m. and Park closing on
5 Thursdays. Permittee will lock the Indoor/Flint Range thirty (30) minutes prior to closing
6 on Thursdays and will not stay past the posted park hours.

7 C. Permittee will have a key and access to the storage closet in the
8 small enclosure within the Flint Range. Permittee will lock the storage closet thirty (30)
9 minutes prior to closing on Thursdays.

10 D. Permittee acknowledges and agrees that, by this Permit, Permittee
11 does not acquire any right, title, or interest in the Permit Area, including the right to
12 possession and control, but acquires only the mere right to use. Permittee acknowledges
13 and agrees that this Permit shall not be deemed a lease for any purpose."

14 2. Section 3.A of Permit No. 35019 is hereby amended in its entirety to
15 read as follows:

16 "A. The term of this Permit shall commence at midnight on
17 October 1, 2014, and shall terminate at 11:59 p.m. on September 30, 2023, unless
18 sooner terminated as provided in this Permit.

19 B. Permittee agrees that nothing contained in this Permit creates
20 any right in Permittee for any relocation assistance or payment pursuant to the
21 provisions of Title 1, Division 7, Chapter 16 of the California Government Code
22 from the City on expiration or revocation of this Permit."

23 3. Except as expressly stated herein, all of the terms, covenants, and
24 conditions of Permit No. 35019 are ratified and confirmed and shall remain in full force
25 and effect.

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OFFICE OF THE CITY ATTORNEY
DAWN MCINTOSH, City Attorney
411 West Ocean Boulevard, 9th Floor
Long Beach, CA 90802-4511

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

3 LONG BEACH BOW HUNTERS, INC. a
4 California nonprofit corporation

5 2/1/, 2023

By KEVIN BUSBY
6 Name KEVIN BUSBY
7 Title CEO

8 Feb 1,, 2023

By LORI PRICHARD
9 Name LORI PRICHARD
10 Title Secretary

11 "Permittee"

12 PARKS AND RECREATION COMMISSION OF
13 THE CITY OF LONG BEACH, CALIFORNIA

14 May 1st, 2023

By Brent Dennis
15 Director

16 "City"

17 This First Amendment to Revocable Use Permit No. 35019 is approved as
18 to form on February 3rd, 2023.

19 DAWN MCINTOSH, City Attorney

20 By AL L
21 Deputy