## OFFICE OF THE CITY ATTORNEY ROBERT E. SHANNON, City Attorney 333 West Ocean Boulevard, 11th Floor Long Beach, CA 90802-4664

## SIXTH AMENDMENT TO LEASE NO. 27497

## 

This Sixth Amendment to Lease No. 27497 is authorized pursuant to a minute order adopted by the City Council of the City of Long Beach at its meeting held on November 13, 2007, between AMUSEMENT INDUSTRY, INC., a California corporation ("Lessor") and the CITY OF LONG BEACH, a municipal corporation ("Lessee"), collectively referred to as the parties.

WHEREAS, Agreement No. 27497 dated August 10, 2001 (the "Lease"), was entered into between the parties for office space located at 1320 Gaviota Avenue as a Community Police Center; and

WHEREAS, Lease No. 27497 was amended (i) in September of 2003 to extend the term through September 30, 2004, (ii) in September of 2004 to extend the term through September 30, 2005 and provide Lessee with additional extension options, (iii) in September of 2005 to extend the term through September 30, 2006, (iv) in September of 2006 to extend the term through September 30, 2007; (v) in November of 2007 to extend the term through September 30, 2008; and

WHEREAS, the Lessee now desires to amend Lease No. 27497 to (i) extend the term of this Lease, as amended, through September 30, 2009, (ii) provide Lessee with two (2) additional consecutive one-year options to extend the term of this Lease, (iii) amend the Consumer Price Index (CPI) month for purposes of calculating increases in rent, (iv) upon the effective date of each extension option exercised by Lessee to raise the monthly rent by the amount of the CPI increase for the previous year, provided however that in no event shall the monthly rent adjustment be less than a 2.0 percent increase nor more than a 5.0 percent increase over the monthly rent paid during the immediately preceding one-year period.

NOW THEREFORE, the parties mutually agree as follows:

- 1. The Amendment shall become effective October 1, 2008.
- 2. The Lease shall be amended to extend the term for a one-year

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

- 3. Lessee shall have the option to extend the term of this Lease for two(2) additional consecutive one-year periods.
- 4. Upon the exercise by Lessee of any or all of its options to extend the term of this Lease, effective each October 1, monthly rent shall be increased by onehundred percent (100%) of the percentage of increase, if any, with said percentage rounded to the nearest tenth as shown by the Consumer Price Index for all urban consumers, all items, for the Los Angeles-Riverside, Orange County, California area (base period 1982-84 = 100) ("Index"), published by the United States Department of Labor, Bureau of Labor Statistics for the month of July as compared with the Index for the same month in the immediately preceding calendar year, provided however that in no event shall the monthly rent adjustment be less than a 2.0 percent increase nor more than a 5.0 percent increase over the monthly rent paid during the immediately preceding one-year period. Lessor shall give written notice of the amount of the increase. Lessee shall pay this amount, which shall constitute monthly rent. If the Index is discontinued or revised during the term or during any extended term of this Lease, the government index or computation with which it is replaced shall be used to obtain substantially the same result as if the Index had not been discontinued or revised.

21 || ///

22 | ///

23 || ///

24 | ///

25 || ///

26 || ///

27 || ///

28 || ///

	<ol><li>All terms, covenants, and conditions of the Lease and Amendments</li></ol>
	thereto, except as amended herein, shall remain unchanged and in full force and effect.
-	IN WITNESS WHEREOF, the parties hereto have executed this
	Amendment.
	AMUSEMENT INDUSTRY, INC., a California corporation  Dated: Oct 16 , 2008 By: Setoff  Title: HSSCT Illas  "Lessor"
	CITY OF LONG BEACH, a municipal corporation  Dated:
	By: Deputy

GA:lkm 07-05344 10/6/08 – 6<sup>TH</sup> Amd.