

34242

ADDENDUM TO THIRD AMENDMENT TO PROJECT AGREEMENT

FOR THE
DESIGN, CONSTRUCTION, FINANCING,
OPERATION, AND MAINTENANCE
OF THE
NEW LONG BEACH CITY HALL, NEW MAIN LIBRARY, NEW PORT OF LONG BEACH
ADMINISTRATION BUILDING AND REVITALIZED LINCOLN PARK

THIS ADDENDUM TO THIRD AMENDMENT TO THE PROJECT AGREEMENT FOR THE DESIGN, CONSTRUCTION, FINANCING, OPERATION, AND MAINTENANCE OF THE NEW LONG BEACH CITY HALL, NEW MAIN LIBRARY, NEW PORT OF LONG BEACH ADMINISTRATION BUILDING AND REVITALIZED LINCOLN PARK ("Addendum") is entered into on April 1, 2021, between the City of Long Beach (the "City") pursuant to minute orders adopted by its City Council on March 17, 2020 and May 19, 2020, the City of Long Beach, acting by and through its Board of Harbor Commissioners (in such capacity, the "Port"), and Plenary Properties Long Beach LLC, a limited liability company organized and existing under the laws of the State of Delaware (the "Project Company").

RECITALS

The City, the Port and the Project Company are parties to that certain Third Amendment to Project Agreement for the Design, Construction, Financing, Operation, and Maintenance of the New Long Beach City Hall, New Main Library, New Port of Long Beach Administration Building and Revitalized Lincoln Park dated as of August 13, 2020 (the "Third Amendment"). All initially capitalized terms used herein, which are not otherwise defined, shall have the meaning given them in the Third Amendment.

A form of Waterline Easement Agreement is attached as Exhibit A to the Third Amendment. The Waterline Easement Agreement is inadvertently missing Exhibit C thereto, which specifically describes and depicts the exact location of the actual easement area granted by the Waterline Easement Agreement.

AGREEMENT

SECTION 1. THIRD AMENDMENT TO PROJECT AGREEMENT. The legal description and depiction attached to this Addendum as Exhibit C, and incorporated herein by this reference, are hereby attached to the Third Amendment as Exhibit C to the Waterline Easement Agreement (attached to the Third Amendment as Exhibit A).

SECTION 2. CONTINUING EFFECTIVENESS. Except as herein supplemented, the Third Amendment shall remain unchanged and in full force and effect.

IN WITNESS WHEREOF, the Parties have caused this Addendum to Third Amendment to Project Agreement to be executed by their duly authorized representatives as of the date first written above.

APPROVED AS TO FORM

4.20, 2021

CHARLES PARKIN, City Attorney
By: _____
RICHARD ANTHONY
DEPUTY CITY ATTORNEY

CITY OF LONG BEACH

By: Linda F. Tatum
Name: LINDA F. TATUM
Title: ASST CITY MANAGER

EXECUTED PURSUANT
TO SECTION 301 OF
THE CITY CHARTER
CITY OF LONG BEACH, acting by and through its
Board of Harbor Commissioners

By: _____
Name:
Title:

PLENARY PROPERTIES LONG BEACH LLC

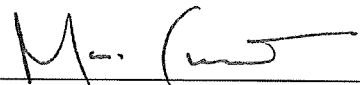
By: _____
Name:
Title:

IN WITNESS WHEREOF, the Parties have caused this Addendum to Third Amendment to Project Agreement to be executed by their duly authorized representatives as of the date first written above.


CITY OF LONG BEACH

By: _____
Name: _____
Title: _____

CITY OF LONG BEACH, acting by and through its Board of Harbor Commissioners

By:  _____
Name: MARINO CORDERO
Title: Executive Director

PLENARY PROPERTIES LONG BEACH LLC

By:  _____
Name: Brian Budden
Title: Director

By:  _____
Name: Stuart Marks
Title: Director

EXHIBIT C
WATER LINE EASEMENT AREA

1/1/2018, 10:00 AM

LEGAL DESCRIPTION

A STRIP OF LAND SITUATED IN THE CITY OF LONG BEACH, IN THE COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, LYING WITHIN PORTIONS OF LOTS 5, 6, 7 AND 8 AND THE VACATED ALLEY OF BLOCK 107 IN THE TOWNSITE OF LONG BEACH, AS PER MAP RECORDED IN BOOK 19 PAGES 91 THROUGH 96 OF MISCELLANEOUS RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY DESCRIBED AS FOLLOWS:

BEGINNING AT THE CENTERLINE INTERSECTION OF SAID OCEAN BOULEVARD, 100 FEET IN WIDTH, WITH THE CENTERLINE CEDAR AVENUE, 80 FEET IN WIDTH, AS SHOWN ON SAID MAP OF THE TOWNSITE OF LONG BEACH; THENCE ALONG THE CENTERLINE OF SAID OCEAN BOULEVARD NORTH $86^{\circ}21'45''$ WEST, 393.87 FEET TO AN ANGLE POINT THEREIN; THENCE CONTINUING ALONG SAID CENTERLINE NORTH $86^{\circ}20'00''$ WEST, 3.09 FEET TO THE CENTERLINE INTERSECTION OF CHESTNUT AVENUE, 80 FEET IN WIDTH, AS SHOWN ON SAID MAP OF THE TOWNSITE OF LONG BEACH; THENCE ALONG THE CENTERLINE OF SAID CHESTNUT AVENUE NORTH $0^{\circ}07'45''$ EAST, 492.63 FEET; THENCE SOUTH $89^{\circ}51'45''$ EAST, 49.00 FEET TO THE TRUE POINT OF BEGINNING;

THENCE CONTINUING SOUTH $89^{\circ}51'45''$ EAST, 307.25 FEET TO THE WESTERLY LINE OF SAID CEDAR AVENUE;

THENCE ALONG SAID WESTERLY LINE OF SAID CEDAR AVENUE SOUTH $0^{\circ}07'59''$ WEST, 7.00 FEET TO A LINE PARALLEL WITH AND 7.00 FEET SOUTHERLY OF THE HEREINABOVE DESCRIBED COURSE AS "*SOUTH $89^{\circ}51'45''$ EAST, 307.25'*";

THENCE ALONG SAID PARALLEL LINE NORTH $89^{\circ}51'45''$ WEST, 300.25 FEET;

THENCE SOUTH $0^{\circ}07'45''$ WEST, 13.44 FEET;

THENCE NORTH $89^{\circ}51'45''$ WEST 16.00 FEET TO THE EASTERLY LINE OF SAID CHESTNUT AVENUE;

THENCE ALONG SAID EASTERLY LINE OF CHESTNUT AVENUE NORTH $0^{\circ}07'45''$ EAST, 7.00 FEET;


THENCE SOUTH $89^{\circ}51'45''$ EAST, 9.00 FEET;

THENCE NORTH $0^{\circ}07'45''$ EAST, 13.44 FEET TO THE TRUE POINT OF BEGINNING.

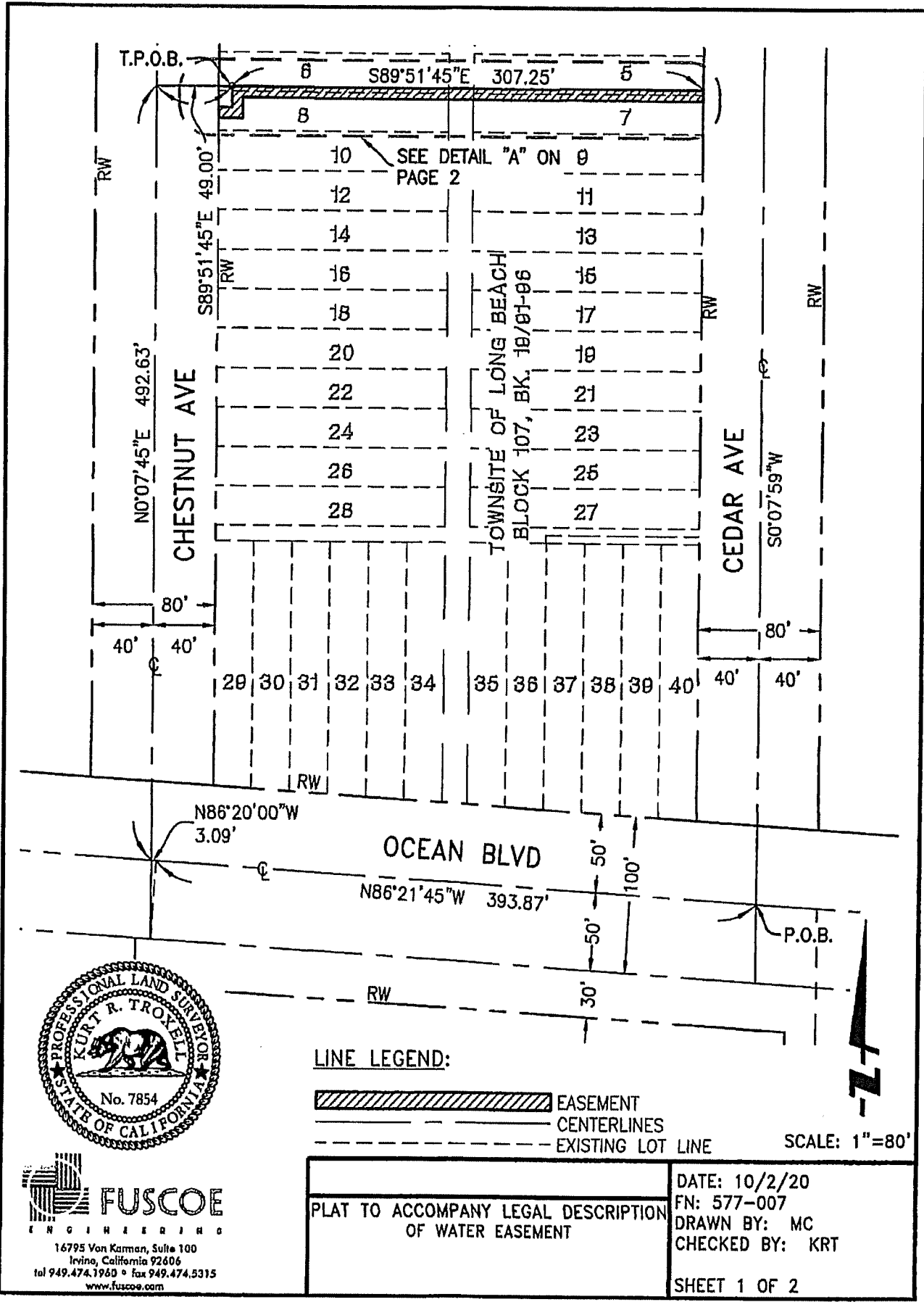
CONTAINING 2,308 SQUARE FEET OR 0.053 ACRES, MORE OR LESS.

AS SHOWN ON EXHIBIT "B" ATTACHED HERETO AND BY THIS REFERENCE MADE A PART HEREOF.

DATED THIS 2nd DAY OF OCTOBER, 2020


KURT R. TROXEL, L.S. 7854





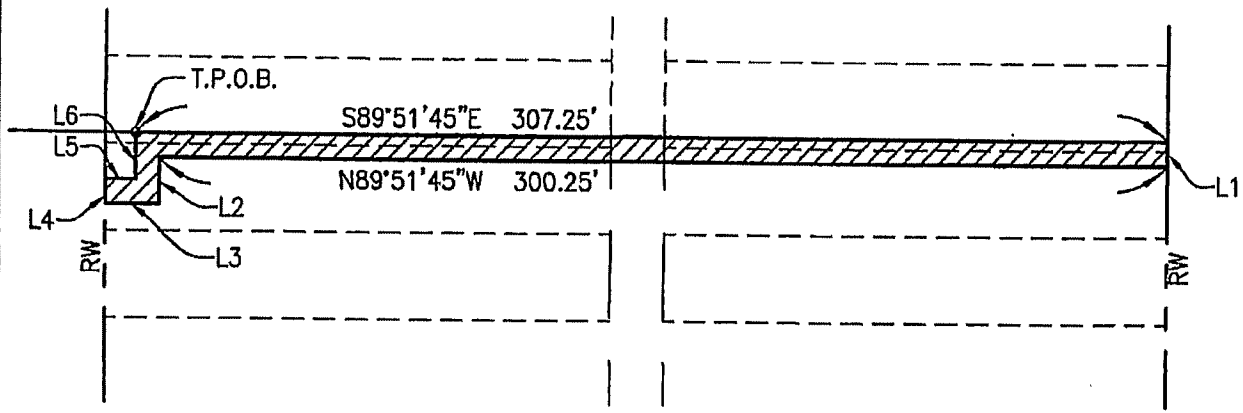
FUSCOE
ENGINEERING
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LINE LEGEND:

- EASEMENT
- CENTERLINES
- EXISTING LOT LINE

SCALE: 1"=80'

PLAT TO ACCOMPANY LEGAL DESCRIPTION OF WATER EASEMENT	DATE: 10/2/20 FN: 577-007 DRAWN BY: MC CHECKED BY: KRT
	SHEET 1 OF 2




DETAIL "A"

LINE TABLE		
LINE	BEARING	DISTANCE
L1	S00°07'59"W	7.00'
L2	S00°07'45"W	13.44'
L3	N89°51'45"W	16.00'
L4	N00°07'45"E	7.00'
L5	S89°51'45"E	9.00'
L6	N00°07'45"E	13.44'

LINE LEGEND:

 EASEMENT

 EXISTING LOT LINE

SCALE: 1"=50'



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PLAT TO ACCOMPANY LEGAL DESCRIPTION OF WATER EASEMENT	DATE: 10/2/20
	FN: 577-007
	DRAWN BY: MC
	CHECKED BY: KRT
	SHEET 2 OF 2