

THIRD AMENDMENT TO AGREEMENT NO. 27497

27497

This Third Amendment to Agreement No. 27497 is authorized pursuant to a
3
4 minuted order adopted by the City Council of the City of Long Beach at its meeting held
5 on September 7, 2004, between AMUSEMENT INDUSTRY, INC., a California corporation
6 ("Lessor") and the CITY OF LONG BEACH, a municipal corporation ("Lessee"), collectively
7 referred to as the parties.

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

11 WHEREAS, Agreement No. 27497 was amended in September of 2003 to
12 extend the term through September 30, 2004, and again in September of 2004 to extend
13 the term through September 30, 2005 and to provide Lessee with additional extension
14 options; and

15 WHEREAS, the Lessee now desires to amend Agreement No. 27497 to
16 exercise an option to extend the term of this Lease, as amended, and amend the base CPI
17 month for purposes of calculating increases in rent; and

18 WHEREAS, upon the effective date of each extension exercised by Lessee,
19 the rent would be raised by the amount of the Consumer Price Index (CPI) increase for the
20 previous year.

21 NOW, THEREFORE, the parties mutually agree as follows:

22 1. This Amendment shall become effective September 30, 2005.

23 2. The existing Agreement shall be amended to extend the term for a

24 one-year period through September 30, 2006. Base rent for the period of October

25 1, 2005 through September 30, 2006 shall be One Thousand One Hundred Forty-

26 Eight and 78/100 Dollars (\$1,148.78) per month.

27 3. Lessee shall have the option to extend the term of this Agreement for

28 one (1) additional one-year period.

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4. Upon the exercise by Lessee of its option to extend the term of this Agreement, effective October 1, base rent shall be increased by one-hundred percent (100%) of the percentage of increase, if any, shown by the Consumer Price Index for all urban consumers for Los Angeles-Riverside-Orange County (base years 1982-1984=100) ("Index"), published by the United States Department of Labor, Bureau of Labor Statistics for the month of September as compared with the Index for the same month in the immediately preceding calendar year. Lessor shall calculate the amount of this increase in base rent after the United States Department of Labor publishes the statistics on which the amount of the increase will be based. Lessor shall give written notice of the amount of the increase. Lessee shall pay this amount, which shall constitute base rent. If the Index is discontinued or revised during the term of this Agreement, 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.

5. All terms, covenants, and conditions of the Agreement and amendments 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: 10/24, 2005

By David Kieyoff
Title Asset Manager

"Lessor"

CITY OF LONG BEACH, a municipal corporation

Dated: 10.28, 2005

By Mark Rueter
City Manager

"Lessee"

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2 Approved as to form this 25th day of October, 2005.
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4

5 ROBERT E. SHANNON, City Attorney
6

7 By _____
8

9 
10 _____
11 Deputy

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