

THIRD AMENDMENT TO LEASE NO. 7013

**7013**

THIS THIRD AMENDMENT is made and entered, in duplicate, as of July 20, 2011, pursuant to a minute order adopted by the City Council of the City of Long Beach at its meeting on July 19, 2011, by and between the CITY OF LONG BEACH, a municipal corporation ("Lessor"), and the LONG BEACH YACHT CLUB, a California corporation ("Lessee").

WHEREAS, Lessor and Lessee executed Lease No. 7013 on January 20, 1960, wherein Lessor agreed to lease real property to Lessee for purposes of conducting thereon activities generally associated with a yacht club; and

WHEREAS, through Lease No. 7013 Lessor provided Lessee and its designated members preference in the rental of boat slips at Basin No. 4; and

WHEREAS, the parties have now agreed to clarify the lease language in Lease No. 7013 and remove any reference to Lessee having rental preference of boat slips at Basin No. 4;

NOW, THEREFORE, in consideration of the terms, covenants and conditions stated herein, the parties agree as follows:

1. Section 10 of Lease No. 7013 is hereby amended and restated in its entirety to read as follows:

"10. USE OF MOORING FACILITIES: Individual members of Lessee shall have the ability to rent or lease any slip or slips for mooring of boats which may be available for occupancy in Basin No. 4 of the Long Beach Marina in exactly the same manner as the slip or slips are made available for rental or lease to a member of the general public. This ability to rent or lease a slip or slips in Basin No. 4 shall be exercised by the individual members of the Lessee by applying on the marina-wide City of Long Beach, Department of Parks, Recreation and Marine, Marine Bureau Waiting List for the rental of such slips with the Lessor. No slip conveyance or slip sub-lease shall be allowed, except to the extent that such slip conveyance or slip sublease is in

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

1 conformance with Harbors and Navigation Code Section 40."

2 2. Except as expressly amended herein, all of the terms, covenants, and  
3 conditions in Lease No. 7013 are ratified and confirmed and shall remain in full force and  
4 effect.

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

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LONG BEACH YACHT CLUB, a California corporation

8-25, 2011

By Wilbur W. Lorbeer  
Commodore

WILBUR W. LORBEER  
(Type or Print Name)

8-25, 2011

By Michael V. Voochis  
Secretary

Michael Van Voochis  
(Type or Print Name)

"Lessee"

CITY OF LONG BEACH, a municipal Corporation  
Assistant City Manager

F.31, 2011

By [Signature]  
City Manager

"Lessor" EXECUTED PURSUANT TO SECTION 301 OF THE CITY CHARTER.

This Third Amendment to Lease No. 7013 is approved as to form on  
August 26, 2011.

ROBERT E. SHANNON, City Attorney

By Stan J. Anderson  
Deputy