## FIRST AMENDMENT TO REVOCABLE USE PERMIT NO. 34931 34931

3 THIS FIRST AMENDMENT TO REVOCABLE USE PERMIT NO. 34931 is issued and granted as of December 9, 2020 for reference purposes only, pursuant to a 5 minute order adopted by the City Council of the City of Long Beach at its meeting on 6 December 8, 2020, by and between the CITY OF LONG BEACH, a municipal corporation 7 ("City") and LITTLE SHIPS FLEET YACHT CLUB, a California nonprofit corporation ("Permittee"), whose address is 233 N. Marina Drive, Long Beach, California 90803, to 9 use the facility described below, subject to the following terms and conditions.

WHEREAS, City and Permittee (the "Parties") entered into Revocable Use Permit No. 34931 (the "Permit") whereby City granted to Permittee the non-exclusive use of City-owned property, commonly known as the storage shed located in Alamitos Bay Marina at 223 N. Marina Drive; and

14 WHEREAS, the Parties desire to amend the various provisions in the 15 Permit and make it coterminous with Lease No. 35232;

NOW, THEREFORE, in consideration of the mutual terms, covenants, and 16 17 conditions herein contained, the Parties agree as follows:

18 1. Term. The term of the Permit is hereby extended by eight (8) 19 months, ending on November 30, 2023. The term may be extended for two (2) additional five-year periods, upon the mutual written agreement of the Parties. 20

21 2. Rent. Annual rent is currently due and payable in advance on April 1 22 of each year pursuant to the Lease. On April 1, 2023, to account for the eight (8) months 23 added onto the initial term, Permittee will pay to City a prorated annual rent. Beginning 24 on December 1, 2023 and continuing annually thereafter, Permittee will pay annual rent in advance. Rent shall be subject to adjustment on April 1, 2021 and April 1, 2022 based 25 on the year-to-year increase (if any) in the January Consumer Price Index. Rent shall 26 27 thereafter be subject to adjustment on December 1, 2023 and annually thereafter based on the year-to-year increase (if any) in the September Consumer Price Index. In no 28

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1 event shall annual rent due under the Permit decrease.

3. Except as expressly modified herein, all of the terms and conditions
contained in Permit No. 34931 are ratified and confirmed and shall remain in full force
and effect.

5 Permittee hereby accepts and agrees to abide by the above terms and 6 conditions.

7 LITTLE SHIPS FLEET YACHT CLUB, a California nonprofit corporation 8 )4 2021 an. 9 By: Name, Joron 1011 10 Title m ve 00 n 11 JAN 14 ĸμ ma 2021 By: Name EANCO 12 Title MMODDRE 2019 51 13 "Permittee" 14 CITY OF LONG BEACH, а municipal 15 corporation 16 nda F. Jakim By City Manager 29 2021 mary 17 18 "City" **EXECUTED PURSUANT** TO SECTION 301 OF 19 This First Amendment to Revocable Use Permit No. CHARGER is 20 21 January , 2021. approved as to form on \_ 21 CHARLES PARKIN, City Attorney 22 23 By: Deputy 24 25 26 27 28 2 RFA:bg A19-00116 01220243.DOC

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