

**AMENDMENT TO THE AGREEMENT
BY AND BETWEEN
THE CITY OF NATIONAL CITY
AND
A REASON TO SURVIVE**

THIS FIRST AMENDMENT TO THE AGREEMENT is entered into on this 1st day of November, 2022, by and between the CITY OF NATIONAL CITY, a municipal corporation ("CITY"), and A REASON TO SURVIVE ("ARTS"), a California non-profit corporation.

RECITALS

WHEREAS, the CITY owns the improved real property located at 200 East 12th Street, National City, California. This real property is commonly known as the Arts Center Building ("ARTS CENTER"); and

WHEREAS, the CITY and ARTS (collectively referred to as the "parties") entered into an Agreement on December 7, 2021 ("Agreement"), wherein the CITY granted ARTS a revocable license to enter and operate the ARTS CENTER, and ARTS agreed to operate and maintain the ARTS CENTER for the benefit of residents and visitors; and

WHEREAS, originally Article 2, Term, of the Agreement established the term of the Agreement as January 1, 2022 through December 31, 2022; and

WHEREAS, Article 2, Term, of the Agreement establishes the agreement may be extended by mutual agreement for an additional two (2) year term, and the parties may exercise up to three two-year extensions; and

WHEREAS, the parties desire to amend the Agreement by exercising the first (1st) of the three (3) two-year extensions to extend the term of the Agreement to December 31, 2024.

AGREEMENT

NOW, THEREFORE, the parties hereto agree that:

1. Term. Pursuant to Article 2 of the Agreement, the CITY and ARTS hereby agree to amend the Agreement by exercising this first (1st) of the three (3) two-year extensions to extend the term of the Agreement to December 31, 2024.
2. Use of Basement. The CITY and ARTS hereby agree to amend Article 1.1, License for Use of Property, by adding Article 1.1.2, Use of Basement, to read as follows:

The CITY shall maintain access to the basement of the ARTS CENTER. The CITY reserves the right to utilize the basement for storage, as necessary.

- 3 The parties further agree that, with the foregoing exceptions, each and every other term and provision of the December 7, 2021 Agreement shall remain in full force and effect

IN WITNESS WHEREOF, the parties hereto have executed this First Amendment to the Agreement on the date and year first above written

CITY OF NATIONAL CITY

By _____
Alejandra Sotelo Solis, Mayor

APPROVED AS TO FORM:

By _____
Barry J. Schultz
Interim City Attorney

A REASON TO SURVIVE (ARTS)

(Corporation – signatures of two corporate officers required)

(Partnership or Sole proprietorship – one signature)

By 


(Name)

Lauren Lockhart

(Print)

Chair, ARTS Board of Directors

(Title)

By 

(Name)

JAMES HALLIDAY

(Print)

EXECUTIVE DIRECTOR

(Title)