

**FIRST AMENDMENT TO RIGHT OF ENTRY AND LICENSE AGREEMENT**

THIS FIRST AMENDMENT TO RIGHT OF ENTRY AND LICENSE AGREEMENT is entered into on August 16, 2022, by and between East End Realty Partners, LP, a California limited partnership ("Licensee"), and the City of Santa Ana, a charter city and municipal corporation organized and existing under the Constitution and laws of the State of California ("City") (collectively, the "Parties" and each a "Party").

**RECITALS**

- A. The Parties entered into Right of Entry and License Agreement No. A-2018-272, dated December 4, 2018 ("License"), by which Licensee proposed to fund the design, construction and maintenance of a new Skate Park in Downtown Santa Ana ("Project") in the City alley located behind the parking structure on the southwest corner of French and Spurgeon, in the City of Santa Ana (APN 398-326-11) ("Property").
- B. In accordance with the terms and conditions of the License, the Parties now wish to amend the License to: extend the Term of the License; revise the insurance requirements; and, extend the construction completion date for the Project.

NOW THEREFORE, in consideration of the mutual and respective promises, and subject to the terms and conditions of the License, except as hereinafter modified, the Parties agree to the following:

- 1. **Section 2, Term**, shall be amended to extend the Term of the License through **August 16, 2027**, unless an extension or renewal is granted by the City. Notwithstanding the foregoing or any other provision of the License, either City or Licensee may terminate the License with or without cause, or for any reason, at any time, by giving the other Party thirty (30) days written notice of termination at the address provided in the License.
- 2. **Section 7.1, City Improvements to Parking Structure**, shall be amended to confirm that all referenced City Improvements have been completed.
- 3. **Section 7.2, Completion of Work**, shall be amended to set a Completion Date of **December 31, 2023**, for Licensee to finish the Work related to the Project.
- 4. Except as modified by this First Amendment, all terms and conditions of the License shall remain in full force and effect.

*{signatures on following page}*

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

ATTEST:

CITY OF SANTA ANA

\_\_\_\_\_  
Clerk of the Council

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KRISTINE RIDGE  
City Manager

APPROVED AS TO FORM:  
SONIA R. CARVALHO  
City Attorney

  
\_\_\_\_\_  
Ryan O. Hodge  
Assistant City Attorney

RECOMMENDED FOR APPROVAL:

EAST END REALTY PARTNERS, LP

\_\_\_\_\_  
STEVEN A. MENDOZA  
Executive Director  
Community Development Agency

  
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RYAN CHASE  
President