

RENEWAL AGREEMENT FOR LICENSING OF BOCCE BALL COURTS

This Renewal Agreement is entered into this ___ day of May, 2021, by and between the City of Long Beach ("City"), a municipal corporation with its principal place of business at 1 West Chester Street, Long Beach, New York, and Arnold Peltz and Jesse Peltz, individuals in a partnership ("Peltz Partnership"), with an address of 170 Magnolia Boulevard, Long Beach, New York 11561 (hereinafter the two entities shall collectively be referred to as the "Parties").

WHEREAS, the Parties previously entered into an Agreement for Construction and Licensing of Bocce Ball Courts (the "Original Agreement"), executed by the Peltz Partnership on May 18, 2017, and executed by the City on May 23, 2017;

WHEREAS, the Original Agreement provided for a term of three (3) years, with a two (2) year option to renew upon mutual consent of the Parties;

WHEREAS, due to the COVID-19 pandemic, the Peltz Partnership could not exercise its rights under the Original Agreement during the 2020 calendar year, the City agrees to extend the renewal period by one (1) additional year, to a total of three (3) years, ultimately expiring on May 18, 2023;

WHEREAS, the Peltz Partnership expressed its desire to exercise the renewal period and the City consents to such renewal; and

NOW THEREFORE, the Parties elect to renew the Original Agreement for a term of three (3) years, ultimately expiring on May 18, 2023, the Parties agree as follows:

1. Recitals

The foregoing preamble and "WHEREAS" clauses set forth above, as well the exhibits referenced therein, if any, are hereby incorporated into and made a part of this agreement.

2. Original Agreement

But for the terms expressly set forth in in this agreement, all other terms, clauses, paragraphs, subparagraphs, obligations, duties, and responsibilities set forth in the Original Agreement control, and are in full force and effect for the duration of the renewal period expiring on May 18, 2023.

3. Consideration.


(a) For League play in 2021, the Peltz Partnership shall pay the City a fee of \$50 per Bocce Ball team registered for League play. For League play in 2022, the Peltz Partnership shall pay the City a fee of \$75 per team. For League play in 2023 (to the extent applicable), the Peltz Partnership shall pay the City a fee of \$100 per Bocce Ball team registered for League play.

4. No Presumption Against Drafter:

The Parties herein acknowledge that they have read this agreement, have had the opportunity to review it with an attorney of their respective choice, and have agreed to all its terms. In the event an ambiguity or a question of intent or interpretation arises, this agreement shall be construed as if drafted jointly by each of the parties hereto and no presumptions or burdens of proof shall arise favoring any party by virtue of the authorship of any provisions of this agreement

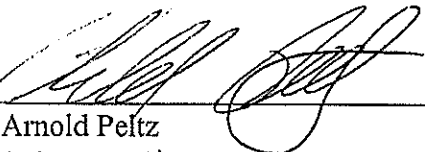
IN WITNESS WHEREOF the Parties herein have executed this Renewal Agreement for Licensing of Bocce Ball Courts as of the earliest day and year written below.

CITY OF LONG BEACH

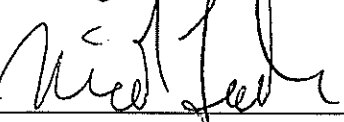
By: 
Donna M. Gayden
City Manager

Date: 6/11/2021

PELTZ PARTNERSHIP

By: 
Arnold Peltz
170 Magnolia Boulevard

Date: 5/12/21

By: 
~~Jesse Peltz~~ Nicole Finkler
~~170 Magnolia Boulevard~~
65 Lincoln Blvd 56
Long Beach N.Y 11561

Date: 01/21/21