

L-105/Area2Substation
LandMGT/Sheriff/ 8970

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FIRST AMENDMENT TO LEASE AGREEMENT

THIS FIRST AMENDMENT TO LEASE AGREEMENT AGR #08-075/L-105 (hereinafter "FIRST AMENDMENT") is made and entered into this 15th day of December, 2015, by and between LAND MANAGEMENT OPPORTUNITIES, LLC, 731 W. Shaw Avenue, Suite B, Clovis, CA 93612 (hereinafter "LESSOR") and the COUNTY OF FRESNO, a political subdivision of the State of California, 2220 Tulare Street, 21st Floor, Room 2101, Fresno, California 93721-2106, (hereinafter "LESSEE"). LESSOR AND LESSEE may, hereinafter, be referred to collectively as "Parties" or individually as "Party".

WITNESSETH:

WHEREAS, LESSOR and LESSEE are Parties to that certain Lease Agreement, AGT #08-075/L-105, dated February 26, 2008, (hereinafter "LEASE"); and

WHEREAS, LESSEE uses the Premises as a Sheriff's Substation; and

WHEREAS, LESSOR and LESSEE desire to amend the LEASE to extend the term of the lease, increase the rent for the extension period and change LESSOR's noticing address.

NOW, THEREFORE, for good and valuable consideration, the receipt and adequacy of which is hereby acknowledged, the Parties agree as follows:

1. Section 2. TERM of the LEASE is deleted and replaced with the following:

"2. TERM – The initial term of this LEASE shall be nine (9) years beginning January 1, 2008 and ending on December 31, 2016 (hereinafter "Initial Term"). At the expiration of the Initial Term, this LEASE shall automatically renew for a 12 month term beginning January 1, 2017 and ending on December 31, 2017 (hereinafter the "Renewal Term"). Notwithstanding any other provisions of this LEASE, LESSEE may terminate this LEASE as of any date during the Renewal Term by providing at least one hundred eighty (180) days prior written notice thereof to LESSOR, which notice may be provided by LESSEE either during the Initial Term or the Renewal Term. In case of any termination of this LEASE by LESSEE, either the Director of Internal Services/Chief Information Officer, or the Sheriff, or a designee of one of them, is authorized to terminate this

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LEASE and to provide such written notice to terminate.”

2. Section 3. RENT of the LEASE is deleted and replaced with the following:
“3. RENT - LESSEE agrees to pay rent to LESSOR on or about the first of each month for the period January 1, 2008 through December 31, 2015, at the rate of Ten Thousand Dollars (\$10,000.00) per month. Beginning January 1, 2016, the rent shall be Twelve Thousand Dollars (\$12,000) per month until this LEASE terminates.”
3. Section 21. NOTICES shall be amended to reflect LESSOR’s and LESSEE’s respective current addresses as follows:

“LESSEE:
County of Fresno (L-105)
Director of Internal Services/
Chief Information Officer
2220 Tulare Street, 21st Floor
Fresno, CA 93721-2106

LESSOR:
Land Management Opportunities, LLC
ATTN: Michael Occhino
731 W. Shaw Avenue, Suite B
Clovis, CA 93612”

The Parties agree that this FIRST AMENDMENT is sufficient to amend the LEASE. The LEASE is hereby amended, ratified and continued. It is the intent of the Parties that all other provisions of the LEASE shall remain unchanged. The Parties agree that, upon execution of this FIRST AMENDMENT, the LEASE, and this FIRST AMENDMENT shall together be

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considered the LEASE.

EXECUTED as of the date first herein specified.

LESSEE:
COUNTY OF FRESNO

By Deborah A. Poochigian
Deborah A. Poochigian, Chairman
Board of Supervisors

LESSOR:
LAND MANAGEMENT
OPPORTUNITIES, LLC.

By Vince LaNovara
Vince LaNovara, Managing Partner

By Michael Occhino
Michael Occhino, Managing Partner

ATTEST: BERNICE E. SEIDEL, CLERK
BOARD OF SUPERVISORS

By Susan Bishop
Deputy

APPROVED AS TO LEGAL FORM:
DANIEL C. CEDERBERG, COUNTY COUNSEL

By Shirley Melton
Deputy
Chief Deputy

APPROVED AS TO ACCOUNTING FORM:
VICKI CROW, C.P.A.
AUDITOR-CONTROLLER/TREASURER-
TAX COLLECTOR

By Alexis Cole Jr

RECOMMENDED FOR APPROVAL:

By Robert W. Bash
Robert W. Bash, Director of Internal
Services/Chief Information Officer

RECOMMENDED FOR APPROVAL:

By Margaret Mims
Margaret Mims, Sheriff

Fund No: 0001
Subclass: 10000
Org: 31113202
Account: 7340

Property/L-105/Sheriff/3111/1stAmend