

**AMENDMENT NO. 3 TO GROUND LEASE WITH
JAMES AND MARY BOOTH**

THIS AMENDMENT will amend a prior agreement between James Booth and the County of Nevada, entitled Nevada County Airport Ground Lease, approved by Board of Supervisors Resolution No. 00-452 dated September 12, 2000; and subsequently amended through Resolution 19-037 on January 22, 2019 and Resolution 12-434 on October 1, 2012.

This amendment is made in consideration of the following facts:

- A. James Booth holds a ground lease approved by Board Resolution No. 00-452, for approximately 4000 square feet of airport property situated just north of the airport west gate off Nevada City Avenue. Paragraph 3 of the lease calls for a rental rate adjustment every 36 months by assessing prevailing lease rates of general airports comparable to the Nevada County Airport including but not limited to Auburn, Placerville, Georgetown, Columbia, Truckee, and Willows.
- B. During the prevailing rate comparisons both Lessor and Lessee agreed that not all of the airports listed in the lease for comparison are comparable to the Nevada County Airport and agreed to replace Georgetown with Jackson and to delete Truckee and Willows and add Marysville and Colusa to the list.
- C. Based on B above the parties wish to establish a new rental rate effective October 1, 2021 and revise the list of airports used in the periodic rate comparison.

NOW, THEREFORE, IT IS AGREED:

1. This amendment is effective October 1, 2021.
2. The two sentences in paragraph 3 of the ground lease listing the airports to be used in the rate comparison and the following sentence concerning averaging the rental rates are amended to read:

The airports included in the assessment will include but not be limited to the following: Auburn, Placerville, Columbia, Marysville, Colusa and Jackson. The rental rate shall be the numerical average of the most recently approved or negotiated lease rates for similar hangar space at the previously listed airports.

3. Paragraph 3 of the Ground Lease is amended to add the following provision:
 - 3.(a) Effective October 1, 2021 the ground lease rate will be \$.054/sq ft/month based on the hangar square footage (4000 sq ft). Future prevailing rate reviews and adjustments shall be in accordance with paragraph 2 above.
4. Except as amended herein the prior agreements of the parties shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have executed or cause this instrument to be executed as of the day and year first above written.

COUNTY OF NEVADA:

LESSEE:

By: _____

By: _____

Dan Miller
Chair of the Board of Supervisors

James Booth

ATTEST:

APPROVED AS TO FORM:

By: _____

By: _____

Julie Patterson Hunter
Clerk of the Board of Supervisors

County Counsel