



# **RESOLUTION No. 18-136**

## **OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA**

### **RESOLUTION APPROVING THE GROUND LEASE REASSIGNMENT OF LOT 5 OF THE NEVADA COUNTY AIRPORT SOLELY TO JOHN BARLEYCORN INVESTMENTS, LLC.**

WHEREAS, the County of Nevada originally entered into a Lease Agreement with Pacific Land Enterprises, Inc. ("Lessee") on August 22, 2006, for a portion (1.65 acres) of Lot 5 of the Nevada County Airport fronting on Loma Rica Drive, Grass Valley, California for non-aeronautical light industrial/manufacturing development; and

WHEREAS, the Lease was revised by Assignment of Lessee's interest on January 30, 2007, releasing Pacific Land Enterprise's interests and assigning Lessee's interests to Neal Street Investments, LLC, ("Neal Street") and John Barleycorn Investments, LLC, ("Barleycorn"), and was further amended by agreement on November 13, 2012; and

WHEREAS, Neal Street has relinquished and assigned all of its rights, obligations and interests in the Ground Lease, the Tenants in Common Agreement, and the Management Agreement, in favor of Barleycorn.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of Nevada, State of California, that the Lease Assignment releasing Neal Street Investments, LLC, of its rights, obligations and interest in and to the Ground Lease, and consenting to Neal Street Investments, LLC's assignments of its rights, obligations and interest in and to the Ground Lease to John Barleycorn Investments, LLC is hereby approved, and that the Chair of the Board of Supervisors is hereby authorized to execute the Lease Assignment on behalf of the County of Nevada.

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PASSED AND ADOPTED by the Board of Supervisors of the County of Nevada at a regular meeting of said Board, held on the 10th day of April, 2018, by the following vote of said Board:

Ayes: Supervisors Heidi Hall, Edward Scofield, Dan Miller, Hank Weston and Richard Anderson

Noes: None.


Absent: None.

Abstain: None.

ATTEST:

JULIE PATTERSON HUNTER  
Clerk of the Board of Supervisors

By: 

  
Edward Scofield, Chair

4/10/2018 cc: Airport\*  
AC\* (Hold)

7/02/2018 cc: Airport\*  
AC\* (Release)  
JBI, LLC.

## Lease Assignment

Pursuant to Section 15 of that certain Ground Lease by and between the County of Nevada ("County") and Pacific Land Enterprises, Inc. ("Lessee") dated August 22, 2006, revised by Assignment of Lessee's interest on January 30, 2007, releasing Pacific Land Enterprise's interests and assigning Lessee's interests to Neal Street Investments, LLC, ("Neal St") and John Barleycorn Investments, LLC, ("Barleycorn"), and further amended by agreement on November 13, 2012, County releases Neal Street Investments, LLC, of its rights, obligations and interest in and to the Ground Lease and consents to Neal St's assignments of its rights, obligations and interest in and to the Ground Lease to Barleycorn. County also releases any claims against Pacific Land Enterprises, Inc. concerning its past property management of the real property involved herein. No further assignment of the Ground Lease shall hereafter be made without prior written consent of County.

All other terms and conditions of the Ground Lease shall remain unchanged.

Date: 12-20-17

**County of Nevada**



~~Hank Weston, Chair of the Board of Supervisors~~

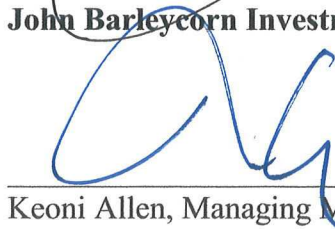
Edward Scofield, Chair of the Board of Supervisors

**Neal Street Investments, LLC**



Rey Johnson, Managing Member

**John Barleycorn Investments, LLC**



Keoni Allen, Managing Member

## Leasehold Relinquishment and Assignment


Pursuant to Section 15 of that certain Ground Lease by and between the County of Nevada ("County") and Pacific Land Enterprises, Inc. ("Lessee") dated August 22, 2006, revised by Assignment of Lessee's interest on January 30, 2007, releasing Pacific Land Enterprise's interests and assigning Lessee's interests to Neal Street Investments, LLC, ("Neal St") and John Barleycorn Investments, LLC, ("Barleycorn"), and further amended by agreement on November 13, 2012, and

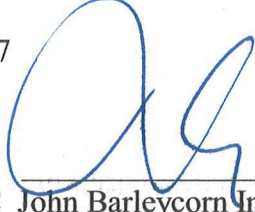
Pursuant to the Management Agreement by and between Neal St, Barleycorn, and Pacific Land Enterprises, Inc. ("PLEI"), dated February 7, 2007; and


Pursuant to Paragraphs 2 and 7 of that certain Tenants in Common Agreement dated January 30, 2007, by and between Neal Street Investments, LLC, ("Neal St") and John Barleycorn Investments, LLC, ("Barleycorn"), it is now agreed:

1. Neal Street hereby Relinquishes and Assigns all its rights, obligations and interests in the Ground Lease, the Tenants in Common Agreement, and the Management Agreement, in favor of Barleycorn;
2. Barleycorn removes PLEI as property manager of the premises pursuant to Paragraph 2 of the Tenants in Common Agreement and releases PLEI, its officers, agents and employees, from any claims relating to the Ground Lease, the Tenants in Common Agreement and the real property related thereto;
3. Neal St hereby delivers to Barleycorn the sum of Fifty Thousand Dollars (\$50,000.00) in full consideration of the above release; *Three* *3* *R*
4. The Management Agreement is hereby declared void and of no further legal effect; and
5. Barleycorn assumes and agrees to perform faithfully and to be bound by all of the terms, covenants, conditions, provisions and agreements of the Ground Lease, with respect to the Interests being transferred.

Dated: December 20, 2017

  
Neal Street Investments, LLC  
by Rey Johnson  
Managing Member

  
John Barleycorn Investments, LLC  
by Keoni Allen  
Managing Member

  
Pacific Land Enterprises, Inc.  
by Jeff B. Johnson  
President