



RESOLUTION No. _____

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA

RESOLUTION APPROVING AMENDMENT NO. 4 TO THE OBLIGATIONS PERTAINING TO THE LEASE AGREEMENT FOR THE BRIGHTON GREENS BUSINESS PARK LOCATED AT 988 MCCOURTNEY ROAD, GRASS VALLEY, CALIFORNIA

WHEREAS, the County of Nevada entered into a Lease Agreement with M.K. Blake Estate Company through Resolution 14-545 for 20,000 square feet of office space for the Nevada County Health and Human Services Agency (HHSA) Brighton Greens Resource Center; and

WHEREAS, Resolution 15-351 approved Amendment No 1 for a Tenant Improvement loan to M. K. Blake Estate Company; and

WHEREAS, M.K. Blake Estate Company has sold the property known as the Brighton Greens Business Park to 9 Miller Court, LLC, and Brighton Greens Ventures, LLC; and

WHEREAS, Resolution 19-123 approved Amendment No 2 to the Lease Agreement which included the approval of an assumption agreement that 9 Miller Court Properties assumes all obligations of the original lease contract and subsequent Amendment 1 excluding Tenant Improvements and an assignment for the Tenant Improvement Loan to remain with the seller M.K. Blake Estate Company; and

WHEREAS, Resolution 19-424 approved Amendment No 3 to the Lease Agreement adjusting the payment terms of the NNN to a monthly invoice and expanded reporting requirements; and

WHEREAS, the current lease commenced on February 01, 2016 and has an original term of 10 years with the option to renew for three consecutive five-year terms. A Market Rental Value (MRV) Analysis is required prior to the commencement of Year 6 of the original lease. Year 6 of the original lease begins on February 1, 2021; and

WHEREAS, an MRV Analysis was conducted by the Lessor and the Lessee. Both parties reviewed the gathered data and met to negotiate terms; and

WHEREAS, this Fourth Amendment to the lease agreement reflects the negotiated rental rate of \$1.35 per square foot per month for 20,000 square feet of office space to be adjusted 3% annually.

WHEREAS, the County is exercising the first five-year renewal option extending the Lease expiration to January 31, 2031. These changes are effective at the commencement of Year 6 of the original lease on February 1, 2021; and

WHEREAS, all other terms and conditions of the Lease and Tenant Improvement Agreement remain in full force and effect.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Board of Supervisors of the County of Nevada, State of California, that the Board of Supervisors approves, and the Board Chair is authorized to execute, in substantially the form attached hereto, Amendment No. 4 amending the obligations pertaining to the Lease Agreement for the Brighton Greens Business Park located at 988 McCourtney Road, Grass Valley, CA.

Funding: Health and Human Services Agency 1589-50101-491-1000/521800