

**AMENDMENT No.3
TO
THAT LEASE AGREEMENT BETWEEN THE COUNTY OF SAN LUIS OBISPO
AND ROBERT BAKER
SITE K**

This **Amendment No. 3** to that Lease dated December 15, 1987 between the County of San Luis Obispo, a political subdivision of the State of California (“County”) and Robert Baker (“Lessee”) as assigned November 20, 1998, to Robert R. Baker and Cheryl Baker, Trustees of Robert and Cheryl Baker Trust:

WITNESSETH

WHEREAS, on December 15, 1987 the County and Robert Baker entered into a Lease Agreement (“Agreement”) related to lease Site K at the San Luis Obispo County Regional Airport;

WHEREAS, On November 20, 1998, Robert Baker assigned the Agreement to Robert R. Baker and Cheryl Baker, Trustees of Robert and Cheryl Baker Trust via an Assignment and Assumption; and

WHEREAS, the Agreement was modified by a First Amendment executed on December 2, 2010, whereby Lessee was granted a six year extension, extending the term through December 31, 2016, and “Rental” fee, “Construction on Premises” and “Protection of Premises” language was updated; and

WHEREAS, the Agreement was modified by a Second Amendment executed on January 24, 2016 whereby Lessee was granted a 2 year extension of the term, upon certain conditions, until December 31, 2019; and

WHEREAS, County and Lessee agree to an extension of the existing agreement, upon certain conditions, until December 31, 2022.

NOW THEREFORE, in consideration of the mutual promises, agreements, covenants and conditions set forth herein, the parties mutually covenant and agree as follows:

1. Section 1A “EXTENSION OF LEASE TERM” is deleted and replaced with the following language:

A. **EXTENSION OF LEASE TERM**: Lease term is hereby extended until 11:59 PM December 31, 2022. The parties shall meet one year before expiration of the lease to discuss the future use of the site.

2. Section 3 “RENTAL” the following language is added to the end of this section:

Upon execution of this Amendment No. 3, Lessee understands that during the term to this agreement, County will perform, at County’s own expense, rental rate appraisals for all Airport premises including those contained herein. Once said appraisal is completed, this section will be automatically amended, and the annual rent adjusted by any action of the County Board of Supervisors to adopt the rental fee structure as developed in said appraisals.

3. Section 4 “CONSTRUCTION ON PREMISES” is revised by deleting the reference to Amendment No. 2 and replacing it with reference to Amendment No. 3 as follows:

Upon execution of this Amendment No. 3, Lessee will not have the right to construct any additional improvements on the Premises during the Term of this Amendment.

All other provisions of said Agreement shall continue in full force and effect.

//////////NOTHING FURTHER PAST THIS POINT BUT SIGNATURES//////////

IN WITNESS WHEREOF, the parties have duly executed this Lease Amendment.

COUNTY OF SAN LUIS OBISPO

LESSEE

By:

**Chairperson
County Board of Supervisors**

By:

_____ 

**Cheryl Baker, Trustee of
Robert and Cheryl Baker Trust**

Date:

_____ 2 Jan 2020

Date: _____

ATTEST:

Clerk of the Board of Supervisors

Date: _____

**APPROVED AS TO FORM AND LEGAL
EFFECT**

**Rita L. Neal
County Counsel**

By:

_____ 

Deputy County Counsel

Date: _____ 1/6/2020