

**RESOLUTION NO. .**

**BOARD OF SUPERVISORS, COUNTY OF SAN MATEO, STATE OF CALIFORNIA**

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**RESOLUTION A) AUTHORIZING THE PRESIDENT OF THE BOARD OF SUPERVISORS TO EXECUTE A SIXTH AMENDMENT TO THE LEASE AGREEMENT WITH CAROLYN S. BERNARDI AND ALLAN J. BERNARDI, TO ALLOW FOR THE CONTINUED OPERATION OF AN EXISTING COMMUNICATION FACILITY AT 440 PIGEON POINT ROAD, IN PESCADERO; AND B) AUTHORIZING THE COUNTY MANGER, OR HIS DESIGNEE, TO ACCEPT OR EXECUTE ON BEHALF OF THE COUNTY ANY AND ALL NOTICES, OPTIONS, CONSENTS, APPROVALS, TERMINATIONS, AND DOCUMENTS IN CONNECTION WITH THE AGREEMENT.**

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**RESOLVED**, by the Board of Supervisors of the County of San Mateo, State of California, that

**WHEREAS**, on January 20, 1987, as authorized by Resolution No. 48831, the County of San Mateo and Mary E. Leeman entered into a Lease Agreement for construction of a communication facility at 440 Pigeon Point Road, Pescadero, California; and

**WHEREAS**, on May 21, 1996, as authorized by Resolution No. 60204, the County and Carolyn S. Bernardi and Allan J. Bernardi, successors in interest (“Landlord”), entered into a First Amendment to the Lease Agreement; and

**WHEREAS**, on April 24, 2001, the County and Landlord, as authorized by Resolution No. 64380, entered into a Second Amendment to the Lease Agreement; and

**WHEREAS**, on November 9, 2004, the County and Landlord, as authorized by Resolution No. 67025, entered into a Third Amendment to the Lease Agreement; and

**WHEREAS**, on August 4, 2009, the County and Landlord, as authorized by Resolution No. 70311, entered into a Fourth Amendment to the Lease Agreement; and

**WHEREAS**, on July 29, 2014, the County and Landlord, pursuant to Resolution No. 65416, entered into a Fifth Amendment to the Lease Agreement; and

**WHEREAS**, the current Lease will expire on July 31, 2017, and the County and Landlord desire to amend the Lease to extend the term and modify the rent to the Lease Agreement; and

**WHEREAS**, there has been presented to this Board of Supervisors for its consideration and acceptance a Sixth Amendment to the Lease Agreement, reference to which is hereby made for further particulars, whereby the County of San Mateo may extend its Lease Agreement through July 31, 2022 with two options to extend for an additional five years each, in accordance with the terms and conditions contained in said Sixth Amendment to the Lease Agreement; and

**WHEREAS**, this Board has been presented with a Sixth Amendment to the Lease Agreement and has examined and approved same as to both form and content and desires to enter into same.

**NOW, THEREFORE, IT IS HEREBY DETERMINED AND ORDERED** that the President of the Board of Supervisors be, and is hereby, authorized and directed to execute said Amendment to the Lease Agreement for and on behalf of the County of San Mateo, and the Clerk of this Board shall attest the President's signature thereto.

**IT IS FURTHER DETERMINED AND ORDERED** that the County Manager or

designee is hereby authorized to accept or execute on behalf of the County, any and all amendments, options, notices, consents, approvals, termination, and documents in connection with the Lease.

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