

RESOLUTION NO. 070311

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

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RESOLUTION AUTHORIZING AND DIRECTING THE PRESIDENT OF THE BOARD OF SUPERVISORS TO EXECUTE A FOURTH AMENDMENT TO LEASE AGREEMENT WITH CAROLYN S. BERNARDI AND ALLAN J. BERNARDI, FOR THE COMMUNICATION FACILITY AT 440 PIGEON POINT ROAD, PESCADERO, WHICH EXTENDS THE EXPIRATION DATE TO JULY 31, 2014 WITH ONE OPTION TO EXTEND FOR FIVE YEARS, AT AN INITIAL MONTHLY RATE OF \$2,400, AND AUTHORIZING THE COUNTY MANAGER OR HIS DESIGNEE TO EXECUTE NOTICES, OPTIONS AND DOCUMENTS ASSOCIATED WITH THE FOURTH AMENDMENT AND AGREEMENT INCLUDING, BUT NOT LIMITED TO, EXTENSION OR TERMINATION OF THE AGREEMENT UNDER THE TERMS SET FORTH THEREIN.
(LEASE NO. 1147)

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

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

WHEREAS, on May 21, 1996 the County and Carolyn S. Bernardi and Allan J. Bernardi, successors in interest to Mary E. Leeman, as authorized by Resolution No. 60204, entered into a First Amendment to Lease Agreement, on April 24, 2001, as authorized by Resolution No. 64380, entered into a Second Amendment, and on November 9, 2004, as authorized by Resolution No. 67025, entered into a Third Amendment; and

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WHEREAS, the Lease expires on July 31, 2009, and the parties wish to further amend the lease to extend the term through July 31, 2014 with one option to extend for five years at an initial monthly rent of \$2,400, which rent will increase annually based on the Consumer Price Index, and otherwise, on the same terms and conditions; and

WHEREAS, this Board has been presented with the Fourth Amendment to 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 this Board of Supervisors be, and is hereby, authorized and directed to execute such Fourth Amendment to 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; and

IT IS FURTHER DETERMINED AND ORDERED that the County Manager or his designee is hereby authorized to accept or execute on behalf of the County, any and all notices, options and documents associated with the Fourth Amendment and Agreement including, but not limited to, extension or termination of the Agreement under the terms set forth therein.

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Regularly passed and adopted this 4th day of August, 2009.

AYES and in favor of said resolution:

Supervisors: MARK CHURCH
CAROLE GROOM
ROSE JACOBS GIBSON
ADRIENNE J. TISSIER

NOES and against said resolution:

Supervisors: NONE

Absent Supervisors: RICHARD S. GORDON



President, Board of Supervisors
County of San Mateo
State of California

Certificate of Delivery

I certify that a copy of the original resolution filed in the Office of the Clerk of the Board of Supervisors of San Mateo County has been delivered to the President of the Board of Supervisors.



Marie L. Peterson, Deputy
Clerk of the Board of Supervisors 070311