

RESOLUTION NO. 070939

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

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RESOLUTION AUTHORIZING THE: 1) PRESIDENT OF THE BOARD TO EXECUTE A THIRD AMENDMENT TO LEASE AGREEMENT WITH FURNERI PROPERTIES, OF 1,866 SQUARE FEET OF OFFICE SPACE AT 3123 MIDDLEFIELD ROAD, NORTH FAIR OAKS, FOR USE AS THE SHERIFF'S NORTH FAIR OAKS SUBSTATION, EXTENDING THE TERM THROUGH JUNE 30, 2015 WITH TWO OPTIONS TO EXTEND THE TERM FOR ONE YEAR EACH, REDUCING THE BASE RENT TO \$3,452.00 PER MONTH THROUGH JUNE 30, 2011 WITH ANNUAL INCREASES OF 3% EACH YEAR OF THE TERM THEREAFTER, AND 2) COUNTY MANAGER OR HIS DESIGNEE TO EXECUTE NOTICES, OPTIONS AND DOCUMENTS ASSOCIATED WITH THE THIRD AMENDMENT AND LEASE INCLUDING, BUT NOT LIMITED TO, EXTENSION OR TERMINATION OF THE LEASE UNDER THE TERMS SET FORTH THEREIN. (LEASE NO. 1213)

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

WHEREAS, as authorized by Resolution No. 60875, on February 25, 1997 the County of San Mateo and Furneri Family Partnership, entered into a Lease Agreement for the lease of real property at 3123 Middlefield Road, Redwood City, California; and

WHEREAS, as authorized by Resolution No. 65248, on May 14, 2002 the County and the Landlord entered into a First Amendment To Lease and as authorized by Resolution No. 68727, on May 22, 2007 the County and the Landlord entered into a Second Amendment To Lease, which amendments increased the area of the premises and extended the term; and

WHEREAS, there has been a change in the legal entity that holds title to the property; and

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WHEREAS, the County has occupied the Premises on a month-to-month basis under the holdover provision of the Lease since May 31, 2010, and the County and Landlord desire to amend the lease to acknowledge the change in ownership entity, extend the term and modify the base rent; and

WHEREAS, there has been presented to this Board of Supervisors for its consideration and acceptance a Third Amendment to Lease Agreement which acknowledges the change in ownership interest in the property from Furneri Family Partnership to Furneri Properties for Concetta Hayes, Trustee of the Concetta Hayes Exempt Trust - UTD 8/29/78 as AMD; Concetta Hayes, Trustee of the Nicoletta Mustart Exempt Trust - UTD 8/29/78 as AMD; Concetta Hayes, as her sole and separate property; and Nicoletta Mustart, as her sole and separate property ("Furneri Properties"), extends the term of the Lease to June 30, 2015 with two options to extend the term for one additional year each and reduces the base rent from \$3,796.49 to \$3,452.00 per month through June 30, 2011 with annual increases of 3% each year of the term thereafter, and is otherwise under the terms and conditions set forth in the Lease; and

WHEREAS, this Board has been presented with the Third 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 said Third 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 Third Amendment and Lease including, but not limited to, extension or termination of the Lease under the terms set forth therein.

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Regularly passed and adopted this 27th day of July, 2010.

AYES and in favor of said resolution:

Supervisors:

MARK CHURCH

CAROLE GROOM

RICHARD S. GORDON

ROSE JACOBS GIBSON

ADRIENNE J. TISSIER


NOES and against said resolution:

Supervisors:

NONE

Absent Supervisors:

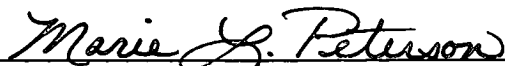
NONE



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

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