

NORTH CAROLINA

AGREEMENT TO EXTEND GROUND LEASE

WAKE COUNTY

This Agreement made and entered into this ____ day of _____, 2020, by and between JACK1, LLC, a North Carolina limited liability company (“Landlord”), and THE TOWN OF APEX, a political subdivision of the State of North Carolina and municipal corporation (“Tenant”).

WHEREAS, on the 14th of December, 2017, the parties hereto entered into a certain Ground Lease, a Memorandum of which is recorded in the office of the Register of Deeds of Wake County, North Carolina, in Book 17134, Page 2742, whereby the Landlord leased to the Tenant for a period of three years, beginning on the 14th day of December, 2017 and ending on the 14th day of December, 2020, the premises known and described on Exhibit A of the above referenced Memorandum.

WHEREAS, the Landlord and Tenant have agreed to extend the period for which the said premises were leased.

NOW, THEREFORE, it is mutually agreed, that the premises described in the lease above referred to are hereby leased unto the said Lessee for the additional term of three years (the “Extended Term”), subject to the terms and conditions set forth in Article 2.2 of the Lease, beginning on December 14, 2020 and ending on December 14, 2023, at the rental specified in the above described lease, payable at the times and under the conditions therein set forth. All the terms, conditions, and covenants set forth in the above described lease apply to the additional period of extension as fully as if set forth herein.

IN WITNESS WHEREOF, the parties hereto have executed this extension Agreement on the day and date first above written.

LANDLORD:

JACK1, LLC

By: _____ (Seal)
Paula Perkins, Member-Manager

By: _____ (Seal)
Fred Gray Cash, III, and

By: _____ (Seal)
Judy Cash, jointly, as Member-Manager

STATE OF NORTH CAROLINA

COUNTY OF _____ [*county in which acknowledgement taken*]

I, _____, certify that Paula Perkins, personally appeared before me this day and acknowledged that she is a member/manager of JACK1, LLC, Landlord herein, and that by authority duly given as an member/manager of the company, the foregoing instrument was signed and sealed by her on behalf of the company and acknowledged said writing to be the act and deed of said company.

Witness my hand and official stamp or seal, this ____ day of _____, 2020.

[*Signature of Notary Public*]

[SEAL]

My Commission Expires: _____

STATE OF NORTH CAROLINA

COUNTY OF _____ [*county in which acknowledgement taken*]

I, _____, certify that Fred Gray Cash and Judy Cash, personally appeared before me this day and acknowledged that they are jointly a member/manager of JACK1, LLC, Landlord herein, and that by authority duly given as an member/manager of the company, the foregoing instrument was signed and sealed by them on behalf of the company and acknowledged said writing to be the act and deed of said company.

Witness my hand and official stamp or seal, this ____ day of _____, 2020.

[*Signature of Notary Public*]

[SEAL]

My Commission Expires: _____

TENANT:

TOWN OF APEX

By: _____ (Seal)
Jacques K. Gilbert, Mayor

STATE OF NORTH CAROLINA

COUNTY OF _____ [*county in which acknowledgement taken*]

I, _____, certify that Jacques K. Gilbert, personally appeared before me this day and acknowledged that he is the Mayor of the Town of Apex, Tenant herein, and that by authority duly given and as the act of such entity, the foregoing instrument was signed and sealed by him on its behalf and acknowledged said writing to be the act and deed of said municipal corporation.

Witness my hand and official stamp or seal, this ____ day of _____, 2020.

[*Signature of Notary Public*]

[SEAL]

My Commission Expires: _____