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LEGAL COUNSEL

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**DOCUMENT NO. 2022-311
FIRST AMENDMENT TO AMENDED AND RESTATED COMMERCIAL LEASE**

Parties:

LANDLORD: DESCHUTES COUNTY, a political subdivision of the State of Oregon

TENANT: ST. CHARLES HEALTH SYSTEM, INC.

This First Amendment to Amended and Restated Commercial Lease (“Amendment”) is made and entered into effective **as of April 1, 2022** (“Effective Date”), for Suite C, with approximately 2,760 square feet, and described as certain real property located at 244 NW Kingwood Avenue, Redmond, Oregon, 97756, (the "Premises"); and by and between Deschutes County (“Landlord”) and St. Charles Health System, Inc., (“Tenant”).

WHEREAS, Landlord and Tenant entered into an Amendment and Restated Commercial Lease effective June 27, 2016 (the “Lease”).

WHEREAS, the Parties desire to amend the Original Agreement for a reduction of space of the Premises, reschedule the CAMs annual reconciliation period, and clarify the current CAMs amount,

NOW, THEREFORE, in consideration of the recitals, the mutual covenants, conditions and agreements hereinafter contained, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

1. Section 1. Occupancy, 1.1 The Premises. Entire section to be deleted and amended as follows:

~~1.1 The Premises. Subject to the terms and conditions of this lease, Landlord hereby leases to Tenant and Tenant leases from Landlord approximately 2760 square feet (Suite C) of the 12,000 square foot building commonly known as the Redmond Surgery Center, 244 NW Kingwood Avenue, Redmond, Oregon 97756 (the “Building”). The approximate 2,760 square feet is comprised of 1,850 square feet of finished space and 910 square feet of unfinished space as depicted on Exhibit A attached hereto (the “Premises”).~~

1.1 The Premises. Subject to the terms and conditions of this lease, Landlord hereby leases to Tenant and Tenant leases from Landlord approximately 1,850 square feet of finished space (Suite C) of the 12,000 square foot building commonly known as the Redmond Surgery Center, 244 NW Kingwood Avenue, Redmond, Oregon 97756 (the "Building"). The finished space is depicted on Exhibit A of Original Lease (the "Premises").

2. Section 1.7 Additional Rent. The section has an addition, as shown below in "(4)".

(4) The monthly CAM charges shall be reconciled from the current time through March 31, 2023, and thereafter shall be estimated annually. The current monthly CAM payment, in the amount of \$536.40, shall remain the amount paid until the March 31, 2023 reconciliation determines that the amount should be increased, decreased, or to remain the same.

3. Section 1.8 Escalation. For clarity, the cost per square foot is \$ 1.60 and shall increase per the terms of the Lease. Beginning July 1, 2022, no more than once annually, cost per square foot shall increase as follows:

<u>Original Amounts with 2,760 square feet of Leased Space</u>	
July 1, 2021 – June 30, 2022	\$4,415.97 per month
July 1, 2022 – June 30, 2023	\$4,482.21 per month
July 1, 2023 – June 30, 2024	\$4,549.44 per month

<u>Adjusted Amounts 1,850 square feet –Begins April 1, 2022 (Reduced by 910 sf)</u>	
April 1, 2021 – June 30, 2022	\$2,960.00 per month
July 1, 2022 – June 30, 2023	\$3,004.40 per month
July 1, 2023 – June 30, 2024	\$3,049.47 per month

Except as otherwise provided in this First Amendment, the terms and conditions of the entire Lease shall remain in effect.

Signature Page Follows

TENANT: DATED this ____ day of 4/26/2022, 2022

ST. CHARLES HEALTH SYSTEM, INC.

DocuSigned by:

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By: Matt Swafford, CFO