

RESOLUTION NO. _____

A RESOLUTION APPROVING AN AMENDMENT TO THE LEASE
BETWEEN THE CITY OF KINGSPORT AND AMERICAN GOLF
CLUB, LLC TO EXTEND THE TERM OF THE LEASE, AND
AUTHORIZING THE MAYOR TO EXECUTE THE SAME

WHEREAS, on July 16, 2024, the board approved a lease with American Golf Club, LLC for property located at 2000 Stonebrook Place to be used as a golf course driving range (Res. No. 2025-009); and

WHEREAS, the lease agreement contained a renewal option for up to four one year terms; and

WHEREAS, the city and the golf club desire to extend the lease for an additional one (1) year at the rate of \$100.00 per month.

Now therefore,

BE IT RESOLVED BY THE BOARD OF MAYOR AND ALDERMEN AS FOLLOWS:

SECTION I. That Amendment Number 1 to the lease with the American Golf Club, LLC that extends the term of the lease for an additional one (1) year at the rate of \$100.00 per month, is approved.

SECTION II. That the mayor, or in his absence, incapacity, or failure to act, the vice mayor, is authorized and directed to execute, in a form approved by the city attorney and subject to the requirements of Article X, Chapter 10 of the Charter of the City of Kingsport, Amendment Number 1 to Lease with American Golf Club, LLC that extends the term of the lease for an additional one (1) year with the option to renew annually for an additional four (4) renewals, and all other documents necessary and proper, and to take such acts as necessary, to effectuate the purpose of the agreement or this resolution, said agreement being as follows:

AMENDMENT NUMBER 1 TO LEASE

This Amendment Number 1 to the Lease between City of Kingsport, Tennessee and American Golf Club, LLC, is made with an effective date of September 1, 2025 by the City of Kingsport, Tennessee and American Golf Club, LLC.

WITNESSETH:

WHEREAS the parties desire to amend the Lease between the parties for a parcel of land located at Stonebrook Place, Kingsport, Tennessee;

NOW THEREFORE, based upon the mutual promises set out herein and other good and valuable consideration not necessary to set out herein the parties agree as follows:

1. That section 2.2. of the Lease is amended to include the following "The Lease shall be extended for a period of one (1) year from the effective date of this Amendment Number 1 to the Lease, with such rights of termination as are expressly set forth in the Lease and this Amendment Number 1.

Except as amended hereby, all other terms and conditions of the Lease shall remain in full force and effect and the parties hereto confirm and ratify the Lease as hereby amended.

IN WITNESS WHEREOF, the parties hereto have executed this Amendment Number 1 with the effective date of September 1, 2025.

[Acknowledgements Deleted for Inclusion in this Resolution]

SECTION III. That the mayor is further authorized to make such changes approved by the mayor and the city attorney to the agreement set out herein that do not substantially alter the material provisions of the agreement, and the execution thereof by the mayor and the city attorney is conclusive evidence of the approval of such changes.

SECTION IV. That the board finds that the actions authorized by this resolution are for a public purpose and will promote the health, comfort and prosperity of the citizens of the city.

SECTION V. That this resolution shall take effect from and after its adoption, the public welfare requiring it.

ADOPTED this the 21st day of October, 2025

PAUL W. MONTGOMERY, MAYOR

ATTEST:

ANGELA MARSHALL, DEPUTY CITY RECORDER

APPROVED AS TO FORM:

RODNEY B. ROWLETT, III, CITY ATTORNEY