

SECOND AMENDMENT TO LEASE AGREEMENT BETWEEN TOWN OF LOS GATOS AND THE LOS GATOS MUSEUM ASSOCIATION

This SECOND AMENDMENT to LEASE AGREEMENT is effective on June 28, 2022 and amends the Lease Agreement between the Town of Los Gatos, a California Municipal Corporation (herein "Town") and Los Gatos Museum Association, a California Nonprofit Corporation (herein "Lessee") entered into on December 9, 2013, and amended on April 21, 2020.

RECITALS

- A. Town and Lessee entered into a Lease Agreement ("Agreement"), executed by the Town Manager on December 9, 2013, a copy of which is attached hereto and incorporated by reference as Attachment 1 to this Amendment.
- B. Town and Lessee entered into a First Amendment to the Lease Agreement ("Agreement"), on April 21, 2020, a copy of which is attached hereto and incorporated by reference as Attachment 2 to this Amendment.
- C. Town and Lessee desire to amend certain terms and conditions of the Lease Agreement. Therefore, the following paragraphs are deleted in their entirety and replaced as set forth herein as follows:

AMENDMENT

7. UTILITIES AND OPERATING EXPENSES.

7.2 Past Utilities Due. Lessee acknowledges that pursuant to the terms of the Lease before this Amendment, that there is due and owing to the Town the sum\$ \$24,417.58 for utilities and operating expenses under this Paragraph. If Lessee performs satisfactorily pursuant to the Agreement and this Amendment, Town Council, in its own and sole discretion, shall consider, prior to July 2024, whether to waive the amount past due. Until such time as Council makes a determination, no amount shall be due from the Lessee to the Town for the above referenced amount.

All other terms and conditions of the Agreement remain in full force and effect.

IN WITNESS WHEREOF, the TOWN and LOS GATOS MUSEUM ASSOCIATION have executed this Second Amendment.

TOWN OF LOS GATOS

By: _____

Laurel Prevetti
Town Manger

APPROVED AS TO FORM:

Gabrielle Whelan
Town Attorney

LOS GATOS MUSEUM ASSOCIATION

By: _____

Ami Davis
Executive Director