

**FIRST AMENDMENT  
TO  
LEASE AGREEMENT**

**THIS FIRST AMENDMENT TO LEASE AGREEMENT** (this “Amendment”) is made and entered into this \_\_\_\_\_ day of December, 2020, by and between the CITY OF TENINO, a Washington municipal corporation (“Lessor”) and THURSTON ECONOMIC DEVELOPMENT COUNCIL CENTER FOR BUSINESS & INNOVATION, a subdivision of Thurston County Economic Development Council, a Washington non-profit corporation (“Lessee”) (collectively, the “Parties”), who are parties to that certain Lease Agreement dated December 11, 2018 (the “Lease”), as to that portion of the Tenino Wastewater Treatment Plant property located at 16402 Old Hwy. 99 SE as depicted in **Exhibit A** to the Lease and legally described therein (the “Property”). Any terms not defined herein shall have the meaning ascribed to them in the Lease.

**RECITALS**

**WHEREAS**, the Parties mutually wish to amend the Lease Agreement.

**CONSIDERATION**

**NOW THEREFORE, IT IS HEREBY MUTUALLY AGREED** that the Lease between the Parties is hereby amended as follows:

1. **Extension of Initial Term**. The initial term of fifteen (15) years contained in the Lease shall be amended to seventeen (17.5) years beginning as of January 1, 2019.

2. **Option to Extend**. Section 1(c) shall be deleted and replaced in its entirety as follows:

“Lessee shall have two (2) options to extend the Lease for an additional period of five (5) years (“Option Term”) at Lessee’s sole discretion. Such Option Term may be exercised only by written notice to Lessor no later than six (6) months prior to the expiration of the then correct term.”

3. **Evaluation**. Section 1(e) shall be added to the Lease as follows:

“The Parties will meet and evaluate progress of the Agricultural Park on an annual basis. The sufficiency of the progress observed, as determined by the Parties’ respective governing bodies, shall have no bearing on Lessee’s options to extend as set forth in Section 1(c) herein.”

**[SIGNATURES ON NEXT PAGE]**

**THE REST AND REMAINDER** of the Lease shall remain in full force and effect and is affirmed and ratified by the signature of the Parties.

**LESSOR:  
CITY OF TENINO**

By: \_\_\_\_\_  
Wayne Fournier  
Its: Mayor

**LESSEE:  
THURSTON ECONOMIC  
DEVELOPMENT COUNCIL CENTER  
FOR BUSINESS & INNOVATION, a  
subdivision of Thurston Economic  
Development Council**

By: \_\_\_\_\_  
Michael F. Cade  
Its: Executive Director

**APPROVED AS TO FORM:**

By: \_\_\_\_\_  
Richard L. Hughes  
Its: City Attorney

**ATTEST:**

By: \_\_\_\_\_  
John C. Millard  
Its: Clerk / Treasurer

[NOTARY ACKNOWLEDGEMENTS ON NEXT PAGE]

STATE OF WASHINGTON )  
 ) ss.  
COUNTY OF \_\_\_\_\_ )

I certify that I know or have satisfactory evidence that Wayne Fournier is the person who appeared before me, and said person acknowledged that he signed this instrument, on oath stated that he was authorized to execute the instrument and acknowledged it as the Mayor of the CITY OF TENINO, a Washington municipal corporation, to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

DATED: this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Print Name: \_\_\_\_\_  
Notary Public for the state of Washington  
Residing at: \_\_\_\_\_  
Appointment Expires: \_\_\_\_\_

STATE OF WASHINGTON )  
 ) ss.  
COUNTY OF \_\_\_\_\_ )

I certify that I know or have satisfactory evidence that Michael F. Cade is the person who appeared before me, and said person acknowledged that he signed this instrument, on oath stated that he was authorized to execute the instrument and acknowledged it as the Executive Director of THURSTON ECONOMIC DEVELOPMENT COUNCIL, a Washington non-profit corporation, to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

DATED: this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Print Name: \_\_\_\_\_  
Notary Public for the state of Washington  
Residing at: \_\_\_\_\_  
Appointment Expires: \_\_\_\_\_

STATE OF WASHINGTON )  
 ) ss.  
COUNTY OF \_\_\_\_\_ )

I certify that I know or have satisfactory evidence that John C. Milgard is the person who appeared before me, and said person acknowledged that he signed this instrument, on oath stated that he was authorized to execute the instrument and acknowledged it as the Clerk / Treasurer of CITY OF TENINO, a Washington municipal corporation, to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

DATED: this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Print Name: \_\_\_\_\_  
Notary Public for the state of Washington  
Residing at: \_\_\_\_\_  
Appointment Expires: \_\_\_\_\_

STATE OF WASHINGTON )  
 ) ss.  
COUNTY OF \_\_\_\_\_ )

I certify that I know or have satisfactory evidence that Richard L. Hughes is the person who appeared before me, and said person acknowledged that he signed this instrument, on oath stated that he was authorized to execute the instrument and acknowledged it as the attorney for the CITY OF TENINO, a Washington municipal corporation, to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

DATED: this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Print Name: \_\_\_\_\_  
Notary Public for the state of Washington  
Residing at: \_\_\_\_\_  
Commission Expires: \_\_\_\_\_