

FIRST AMENDMENT

To

LEASE AGREEMENT

BETWEEN

TENINO STONE CARVERS

AND

THE CITY OF TENINO,

a municipal corporation of the State of Washington,

This First Amendment to (“**Amendment**”) is dated February __, 2023 (the “**Effective Date**”) and is entered into by and between **TENINO STONE CARVERS** (“lessee”) and the **CITY OF TENINO** (“lessor”),

WHEREAS, Lessee and Lessor entered into a certain Lease Agreement concerning City property located at 798 Sussex Avenue W, Tenino on or about _____, 2022; and

WHEREAS, Lessee and Lessor desire to amend the said Lease as set forth herein; and

WHEREAS, it is in the best interest of the Lessor to enter into this Amendment so that the leased property provides revenue to the City of Tenino and is maintained by Lessee;

NOW THEREFORE, in consideration of the mutual promises as stated herein which the Parties acknowledge is good and valuable consideration, the Parties agree as follows:

1. Paragraph 2 regarding term of lease shall read as follows and replace the original lease language: The term of this Lease shall commence on, _____, 2022 (“Term”) and continue for a period of 5 years, which may be renewed for one additional 5-year period by Lessee upon providing written Notice to Lessor within 120 days of the date in which the Lease would otherwise expire, and approval by the City Council of Tenino after consideration of whether the City needs the leased space for its own use. Further, either Party may terminate this Lease under paragraph 8 herein. The Parties may amend this agreement from time to time in writing and authorized by their respective representatives.

2. Entire Agreement. As expressly modified in this Amendment, the Agreement shall remain in full force and effect and the Parties hereto acknowledge, confirm, and ratify all of the terms and conditions of the Agreement. This Amendment, together with the

previously entered into the Lease Agreement, contains the entire agreement between the Parties with respect to the transactions contemplated hereunder and thereunder.

- 3. Counterparts.** This Amendment may be executed in any number of counterparts, and each such counterpart shall be deemed to be an original instrument, but all such counterparts together shall constitute but one Agreement.

EXECUTED as of the date first above written by duly authorized officers of the parties hereto, intending to be legally bound hereby.

TENINO STONE CARVERS, a Washington non-profit corporation

By:
Its: _____
Date: _____

CITY OF TENINO,
a municipal corporation of the State of Washington

By: Wayne Fournier
Its: Mayor
Date: _____