



Legislation Details (With Text)

**File #:** 55767      **Version:** 1      **Name:** 10203 Lease Amendment - 2318 Atwood Ave (Plourd)

**Type:** Resolution      **Status:** Passed

**File created:** 5/6/2019      **In control:** BOARD OF PUBLIC WORKS

**On agenda:** 6/11/2019      **Final action:** 6/11/2019

**Enactment date:** 6/14/2019      **Enactment #:** RES-19-00448

**Title:** Authorizing the Mayor and City Clerk to execute a First Amendment to the Lease with Philip G. Plourd and Rhonda K. Plourd for a portion of the City’s East Rail Corridor adjacent to 2318 Atwood Avenue. (6th A.D.)

**Sponsors:** Marsha A. Rummel

**Indexes:**

**Code sections:**

**Attachments:** 1. Locator\_Map.pdf, 2. 10203\_Exhibit\_C.pdf

Date	Ver.	Action By	Action	Result
6/11/2019	1	COMMON COUNCIL	Adopt	Pass
5/28/2019	1	FINANCE COMMITTEE	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER	Pass
5/22/2019	1	BOARD OF PUBLIC WORKS	Return to Lead with the Recommendation for Approval	Pass
5/20/2019	1	PLAN COMMISSION	Return to Lead with the Recommendation for Approval	Pass
5/14/2019	1	FINANCE COMMITTEE	Refer	
5/14/2019	1	FINANCE COMMITTEE	Refer	
5/14/2019	1	COMMON COUNCIL	Referred	
5/7/2019	1	Economic Development Division	Referred for Introduction	

**Fiscal Note**

The proposed resolution will result in a 48.2 percent reduction in lease revenue due to the reduction in size of the leased area. Rental income in the year May 1, 2019 through April 30, 2020 will be reduced from \$959.12 to \$496.49. Rent will continue to escalate at three (3) percent per year. Rent will be deposited as General Fund revenue (Charge Code 63026).

**Title**

Authorizing the Mayor and City Clerk to execute a First Amendment to the Lease with Philip G. Plourd and Rhonda K. Plourd for a portion of the City’s East Rail Corridor adjacent to 2318 Atwood Avenue. (6th A.D.)

**Body**

WHEREAS, the City of Madison (the “City”) and Philip G. Plourd and Rhonda K. Plourd (together, the “Lessee”) are parties to that certain lease recorded with the Dane County Register of Deeds on September 12, 2013 as Document No. 5024118 (the “Lease”); and

WHEREAS, in late 2018 the Lessee made modifications to its parking lot improvement resulting in a reduction of the leased area needed within the “Leased Premises,” as described in the Lease; and

WHEREAS, the City and Lessee desire to amend the Lease to reflect the reduced square footage of the

Leased Premises and the corresponding adjustment to rent.

NOW THEREFORE BE IT RESOLVED that the Mayor and City Clerk are authorized to execute a First Amendment to the Lease (the "First Amendment"), subject to the following terms and conditions:

1. Effective as of May 1, 2019, Exhibit C to the Lease shall be deleted in its entirety and replaced with Exhibit C (Revised 2019).
2. Effective as of May 1, 2019, Paragraph 1 of the Lease shall be amended to delete the reference to "892.5 sq. ft." on line 3 and to insert in its place "462 sq. ft."
3. The rent schedule for Lease Years seven (7) through ten (10) set forth in Paragraph 3.c. of the Lease shall be deleted and replaced with the following:

<b>Lease Year</b>	<b>Period</b>	<b>Annual Rent</b>
7	5/1/19 - 4/30/20	496.49
8	5/1/20 - 4/30/21	511.38
9	5/1/21 - 4/30/22	526.72
10	5/1/22 - 4/30/23	542.52

4. The First Amendment will be recorded at the office of the Dane County Register of Deeds after it is executed by the parties.
5. All other provisions of the Lease shall remain in full force and effect.

BE IT FURTHER RESOLVED, that the Mayor and City Clerk are hereby authorized to execute any and all additional documents that may be required to complete this transaction.