



Legislation Details (With Text)

File #: 74439 **Version:** 1 **Name:** 11881 First Amendment to Lease

Type: Resolution **Status:** Passed

File created: 10/26/2022 **In control:** Economic Development Division

On agenda: 11/1/2022 **Final action:** 12/6/2022

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Title: Authorizing the execution of a First Amendment to Lease for the property at 354 E. Lakeside Street. (13th AD)

Sponsors: Tag Evers

Indexes:

Code sections:

Attachments: 1. 11881 Resolution Exhibit A.pdf

Date	Ver.	Action By	Action	Result
12/6/2022	1	COMMON COUNCIL	Adopt	Pass
11/28/2022	1	FINANCE COMMITTEE	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER	Pass
11/9/2022	1	BOARD OF PARK COMMISSIONERS	Return to Lead with the Recommendation for Approval	Pass
11/1/2022	1	FINANCE COMMITTEE	Referred	
11/1/2022	1	COMMON COUNCIL	Refer	Pass
10/26/2022	1	Economic Development Division	Referred for Introduction	

Fiscal Note

The revenues from this lease will be deposited to the Parks Division’s Operating Budget (Munis 51110-43522). No appropriation is required.

Title

Authorizing the execution of a First Amendment to Lease for the property at 354 E. Lakeside Street. (13th AD)

Body

WHEREAS, the City is the owner of certain real property located at 354 E. Lakeside Street, Madison, Wisconsin, and depicted on attached Exhibit A (“Property”); and

WHEREAS, the City and the current tenant, S. Stevens (“Tenant”) are parties to that certain Lease, dated December 20, 2019 (“Lease”); and

WHEREAS, the Lease was for an original term of one (1) year and in accordance with the terms of the Lease, the Tenant has exercised all of the Extension Options, as provided in Section 1.2(b) of the Lease, such that the current expiration date of the Lease is December 31, 2022; and

WHEREAS, the parties desire to amend the Lease to provide for two (2) additional Extension Options; the first for a period of two (2) years, and the second for a period of one (1) year; and

WHEREAS, the parties desire to amend the Lease to revise the amount of the monthly rent due as provided in Section 3.1 of the Lease.

NOW, THEREFORE, BE IT RESOLVED, that the Director of the Economic Development Division is hereby authorized to execute the First Amendment to Lease, subject to the following terms and conditions:

1. Section 1.2(b) of the Lease is amended to provide that the Tenant shall have two (2) additional Extension Options (the "Third Option Term" and "Fourth Option Term", respectively, each an "Option Term"). The parties agree that the Tenant has provided the requisite notice as set forth in said Section 1.2(b) and the City hereby agrees to extend the Lease for the Third Option Term, which shall begin on January 1st, 2023, and continue for a period of two (2) years, expiring at midnight on December 31, 2024. The Fourth Option Term shall be for a period of one (1) year, beginning on January 1st, 2025 and expiring at midnight on December 31, 2025. The Tenant may exercise the Fourth Option Term by giving written notice to the City at least sixty (60) days prior to the expiration of the Third Option Term.
2. Section 3.1 of the Lease is amended to provide that during the Third Option Term Tenant shall pay to City rent of \$1,900.00 per month in monthly installments. If the Tenant opts to exercise the Fourth Option Term, the rental rate shall increase to \$1,995.00 per month (\$1,900.00 + 5% increase).
3. Except as expressly modified by this First Amendment, all other provisions of the Lease remain unchanged and in full force and effect.