

## **AMENDMENT NO. 2 TO COLVIN LEASE AGREEMENT**

THIS AMENDMENT NO. 2 TO COLVIN LEASE AGREEMENT is entered into on this \_\_\_\_\_ day of \_\_\_\_\_, 2018, between Unified School District No. 259, Sedgwick County, Kansas ("Lessor") and the Board of County Commissioners, Sedgwick County, Kansas ("Lessee").

### **RECITALS**

On the 29<sup>th</sup> day of July, 2006, Lessor and Lessee entered into the Colvin Lease Agreement, which is attached as **Attachment A** to this Amendment No. 2.

On the 6<sup>th</sup> day of December, 2006, Lessor and Lessee entered into Amendment #1 to Colvin Lease Agreement, which is attached to this Amendment No. 2 as **Attachment B**.

The initial term of the Colvin Lease Agreement was five years, with an extended term of five one-year renewal periods.

At the end of the five one-year renewal terms, the Colvin Lease became a year-to-year holdover lease (the "Holdover Lease").

The initial term of the Colvin Lease commenced January 1, 2006 and ended on December 31, 2010. The five one-year renewal terms ended on December 31, 2015.

The current one-year Holdover Lease ends on December 31, 2018.

The Lessor has given notice to the Lessee to terminate the Colvin Lease as of December 31, 2018.

The Lessor is willing to withdraw the termination of the Holdover Lease conditioned on the Lessee agreeing to amend the Holdover Lease to be month-to-month.

The Lessor and the Lessee agree as follows:

1. Withdrawal of Termination. Lessor withdraws its notice to terminate the Holdover Lease as of December 31, 2018. A copy of the termination letter is attached as **Attachment C**.

2. Month-to-Month Term. The Holdover Lease, starting January 1, 2019, will be a month-to-month lease. Either party may terminate the Holdover Lease commencing January 1, 2019, on the last day of a month by providing the other party written notice of not less than 30 days before the last day of a month.

3. Terms. Except as amended in this Amendment No. 2, the terms of the Colvin Lease Agreement and Amendment No. 1 will remain in full force and effect.

The parties have signed this Amendment No. 2 as of the dates set forth below.

UNIFIED SCHOOL DISTRICT NO. 259,  
SEDGWICK COUNTY, KANSAS

By \_\_\_\_\_  
Sheril Logan, President of the Board of  
Education  
Date signed: \_\_\_\_\_

ATTEST:

By \_\_\_\_\_  
Mike Willome, Clerk of the Board

APPROVED AS TO LEGAL FORM:

By \_\_\_\_\_  
Tom Powell, General Counsel

BOARD OF COUNTY COMMISSIONERS,  
SEDGWICK COUNTY, KANSAS

By \_\_\_\_\_  
David T. Dennis, Chairman  
Commissioner, Third District  
Date signed: \_\_\_\_\_

ATTEST:

By \_\_\_\_\_  
Kelly B. Arnold, County Clerk

APPROVED AS TO LEGAL FORM:

By Karen L. Powell  
Karen L. Powell, Deputy County Counselor