

After recording return to:
Paul Roesch
PO Box 1594
Longview, WA 98632

AMENDMENT OF LEASE

Cowlitz Tax Parcels No. 00494, 00504 and 00505

This Amendment of Lease is between the City of Longview, herein "the City" and the Cowlitz County Public Facilities District, herein "the PFD".

WHEREAS, the City and the PFD entered into a Commercial Lease on July 27, 2007, which Lease was recorded under Cowlitz County Auditor's No. 3345643 on August 29, 2007, herein "the Lease".

WHEREAS, the City and the PFD wish to extend the term of the Lease consistent with the Fourth Amendment to Interlocal Agreement between the City and the PFD in order to obtain mutual benefits.

NOW, THEREFORE, the Lease is amended as follows:

1. Term.

A. Present Term. Section 1.01 of the Lease provides as follows:

This Lease shall commence on July 27, 2007, and shall terminate on the effective date of the full and complete repayment of principal and interest of bonds by LESSEE in accordance with the terms and conditions of the ILA.

Under the terms of the Interlocal Agreement of the parties effective July 27, 2007, and then applicable law, the termination date was expected to be twenty-five years after said commencement date.

B. Revised Term. Section 1.01 of the Lease is modified to provide as follows:

This Lease shall commence on July 23, 2007, and shall terminate on the effective date of the full and complete repayment of principal and interest of bonds by LESSEE in accordance with the terms and conditions of the ILA, which is expected to be forty years after said commencement date consistent with the provisions of Chapter 164, Laws Washington 2017 (EHB 1201) and the Fourth Amendment to Interlocal Agreement of the parties.

3. Rent Adjustment. Section 2.02 of the Lease is amended to provide:

The rent shall be increased on July 1 of each year, starting with July 1, 2008, by three percent (3%) per year, in accordance with the schedule attached hereto as Exhibit "B" for the forty-year term.

4. Site Description. See Exhibit "A", attached hereto and incorporated herein by this reference.

The foregoing states the amendments of the Lease between the parties, which Lease remains in full force and effect except as specifically modified herein. The Lease and this Amendment of Lease may be modified only by a writing signed by both parties.

IN WITNESS WHEREOF, the LESSOR and the LESSEE have executed this instrument on the dates set forth in the acknowledgments below.

LESSOR

LESSEE

City of Longview

Cowlitz County Public Facilities District

By: _____
David Campbell, City Manager

By: _____
Brian Magnuson, Chairperson

Approved as to form:

By: _____
Joan Landau, Secretary

James McNamara, City Attorney

STATE OF WASHINGTON)
 : ss.
County of Cowlitz)

I certify that I know or have satisfactory evidence that DAVID CAMPBELL signed this instrument, on oath stated that he was authorized to execute the instrument and acknowledged it as the City Manager of the City of Longview, to be the free and voluntary act and deed and for the uses and purposes mentioned in the instrument.

DATED: December _____, 2018.

Notary Public in and for Washington
My Commission Expires: _____

STATE OF WASHINGTON)
 : ss.
County of Cowlitz)

I certify that I know or have satisfactory evidence that BRIAN MAGNUSON and JOAN LANDAU signed this instrument, on oath stated that they were authorized to execute the instrument and acknowledged it as the Chairperson and Secretary of the Cowlitz County Public Facilities District to be the free and voluntary act and deed and for the uses and purposes mentioned in the instrument.

DATED: December _____, 2018.

Paul R. Roesch, Jr.
Notary Public in and for Washington
My Commission Expires: April 20, 2021

Exhibit "A": Description of Site

Real property situated in Cowlitz County, Washington, described as follows:

Lots 15, 16, 17, 18 & 19, Block 82, Plat of Longview No. 10 in Cowlitz County, Washington, subject to the Amended Lease dated June 28, 1994, between the City of Longview and the Longview Housing Authority, which Amended Lease was recorded under Cowlitz Auditor's No. 950420051.

Exhibit "B": Rent Adjustments