

FIRST AMENDMENT TO
MARIN MUNICIPAL WATER DISTRICT
LEASE NO. 67
FORBES HILL RESERVOIR SITE
APN 010-261-02

This Lease Amendment ("First Amendment") is entered into by and between Marin Municipal Water District ("District"), and Marin Emergency Radio Authority, a California Joint Exercise of Power Authority ("MERA").

For good and valuable consideration the receipt and adequacy of which is hereby acknowledged, the parties hereto agree as follows:

Section 1. Recitals:

- A. District and MERA entered into a Lease fully executed on May 11, 2002 ("Lease"), which commenced on March 12, 2001 ("Commencement Date"), whereby MERA leased certain real property described in Section 1 and Exhibits A and B of the Lease (the "Premises"), together with access and utility easements described in Section 5 of the Lease ("Access Easement"), all located within certain real property commonly known as the Forbes Hill Reservoir, owned by District (the "Property") as described in Section 1 of the Lease.
- B. The Lease is due to expire on March 12, 2021 and MERA desires to extend the term of the Lease from March 13, 2021 through December 31, 2023.
- C. MERA is requesting the extension to provide continuity of its operations during the construction of its new "Next Gen" communication system.
- D. MERA is requesting, per Section 4 of the Lease, a waiver of the market rent during the extended term of the Lease.
- E. Per Section 14 of the Lease, upon expiration of the Lease, MERA shall complete removal of all facilities as required by the District and shall return the Premises to its original condition existing as of the Commencement Date.
- F. District and MERA desire to amend the Lease to extend the term of the Lease as set forth in this First Amendment.

Section 2. Terms:

- A. The Lease is hereby amended to extend the term of the Lease to run through December 31, 2023 ("Extension Period") on the same terms and conditions as set forth in the Lease and with no additional rent amount required during said Extension Period.
- B. This First Amendment modifies the Lease. Except for the modifications contained herein, all other terms of the Lease shall apply.

MARIN MUNICIPAL WATER DISTRICT

By: 

Bennett Horenstein
General Manager

MARIN EMERGENCY RADIO AUTHORITY

By: 

Maureen Cassingham
Executive Director, MERA

Date: 12-21-2020

Date: 12-3-20