

**RESOLUTION #09-1207-08**

**Authorize 3-year Lease Agreement for Administrative Office**

**Whereas**, the Liberty Township Administrative Offices have been located at 10104 Brewster Lane, Suite 125 and the two year lease contract is up for renewal, and

**Whereas**, staff researched pricing at area and neighboring office buildings, and

**Whereas**, staff is requesting that the Board of Trustees authorize the Township Administrator to sign the attached three year Lease Agreement with Ohio Equities,

**Now, Therefore Be it Resolved, by the Liberty Township Board of Trustees, Delaware County**, authorize the Township Administrator to sign the 3-year lease contractor renewal with Ohio Equities for the Administrative Office at 10104 Brewster Lane, Suite 125, Powell, Ohio.

Motion made by Sybert and seconded by Mann.

**Vote:** NP Ms. Guzzo yes Mr. Mann yes Mr. Sybert

This Resolution shall be in force and become effective immediately upon its execution.

12/7/09  
Date

Curtis J. Sybert  
Curtis J. Sybert, Trustee

Robert Mann  
Robert Mann, Trustee

CERTIFIED BY:

Peggy Guzzo, Trustee

Mark S. Gerber  
Mark S. Gerber, Fiscal Officer

**FIRST AMENDMENT TO LEASE**

This is the First amendment ("First Amendment") to a certain lease agreement entered into on October 30, 2007, ("Lease"), by and between **Byron Ford Trust** ("Landlord"), and **Liberty Township Board of Trustees**("Tenant"). All definitions in the Lease shall apply to this First Amendment.

**Background**

WHEREAS, Landlord has leased certain space in the building located at 10104 Brewster Lane, Powell, Ohio 43065 ("Building") to Tenant under the Lease for space known as Suite 125 ("Office");

WHEREAS, Landlord and Tenant desire to extend the Term of the Lease.

NOW, THEREFORE, the parties agree to amend the Lease as follows:

1. **Extended Term:** Section 1.03 of the Lease is hereby amended to reflect that the term of the Lease shall be extended for a period of three years commencing December 1, 2009, and terminating November 30, 2012 ("Extended Term").
2. **Base Rent:** Commencing December 1, 2009, the Base Rent shall be amended to reflect that Tenant shall pay Rent as follows:

<b>Extended Term</b>	<b>Base Rent psf</b>	<b>Monthly Base Rent</b>
12/1/2009- 11/30/2012	\$14.40	\$3,850.80

All other provisions of the Lease shall remain unchanged and in full force and effect. This First Amendment may be signed in counterparts, each of which shall be deemed an original, and all of which together shall constitute one complete agreement.

If any of the provisions of this First Amendment conflict with the Lease, then this First Amendment shall control.

Submission of this First Amendment for examination or signature by Tenant does not constitute a reservation of or option to amend the Lease and this First Amendment will not be effective until it is executed by, and delivered to, both Landlord and Tenant.

Landlord and Tenant hereby ratify and confirm the Lease, as modified herein, and acknowledge that the Lease, as modified herein, is in full force and effect between Landlord, as Landlord, and Tenant, as Tenant.

**SIGNATURE PAGE**

The parties have executed this First Amendment as of the latest date on which it is executed by the parties below.

**PRESENT LANDLORD'S SIGNATURE:**

Signed in the presence of:

Brandy McAllister  
Witness  
Don Brubaker  
Witness

LANDLORD:

Byron Ford Trust,

By: Byron Ford  
Byron Ford

**TENANT'S SIGNATURES:**

Signed in the presence of:

\_\_\_\_\_  
Witness  
\_\_\_\_\_  
Witness

TENANT:

Liberty Township Board of Trustees

By: \_\_\_\_\_

ACKNOWLEDGMENTS

PRESENT LANDLORD'S ACKNOWLEDGMENT

STATE OF OHIO )  
 ) ss:  
COUNTY OF FRANKLIN )



BRANDY N. McQUADE  
Notary Public, State of Ohio  
My Commission Expires 07-17-10

The foregoing instrument was acknowledged before me this 18 day of November, 2009 by Byron Ford.

Brandy McQuade  
Notary Public

TENANT'S ACKNOWLEDGMENTS:

STATE OF OHIO )  
 ) ss:  
COUNTY OF FRANKLIN )

The foregoing instrument was acknowledged before me this \_\_\_ day of \_\_\_\_\_, 20\_\_ by \_\_\_\_\_, the duly authorized representative of Liberty Township Board of Trustees.

\_\_\_\_\_  
Notary Public