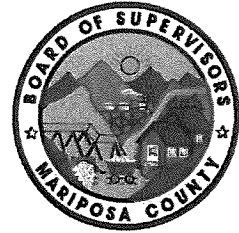


# MARIPOSA COUNTY

County Counsel · (209) 966-3222



## RESOLUTION - ACTION REQUESTED 2021-278

MEETING: May 18, 2021

TO: The Board of Supervisors

FROM: Steve Dahlem, County Counsel

RE: Approve Second Amendment to Lease Agreement for Grazing Lease and Authorize Chair to Sign

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### RECOMMENDATION AND JUSTIFICATION:

Approve the Second Amendment to a Lease Agreement with Robert Cree for an additional year for Grazing Purposes in the Lake Don Pedro I-M Area; and Authorize the Board of Supervisors Chair to Sign the Amendment.

Staff recommends extending the Grazing Lease Agreement for an additional year to allow staff time to evaluate this property for possible sale.

### BACKGROUND AND HISTORY OF BOARD ACTIONS:

Original lease agreement entered on May 1, 2015.

First amendment on February 25, 2020 for an additional year.

### ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

If the Board chooses not to approve the Second Amendment to the Lease Agreement then the property will be vacant until such time as a sale occurs.

### FINANCIAL IMPACT:

None

### ATTACHMENTS:

Second Amendment to Lease Agt-LDP 1M (PDF)

First Amendment to Lease Agt-LDP IM (PDF)

Lease Agreement-LDP 1M (PDF)

**RESULT:** ADOPTED BY CONSENT VOTE [UNANIMOUS]

**MOVER:** Wayne Forsythe, District IV Supervisor

**SECONDER:** Tom Sweeney, District II Supervisors

**AYES:** Smallcombe, Sweeney, Long, Forsythe, Menetrey

MAY -3 2021

**SECOND AMENDMENT TO LEASE AGREEMENT**

MARIPOSA CO. COUNSEL  
RISK MGMT.

**THIS SECOND AMENDMENT TO LEASE AGREEMENT**, made and entered into this 18<sup>th</sup> day of May 2021 by and between the **COUNTY OF MARIPOSA**, hereinafter referred to as "**Lessor**," and **ROBERT CREE**, hereinafter referred to as "**Lessee**."

**WHEREAS, Lessor and Lessee** have heretofore entered into a Lease Agreement dated May 1, 2015, wherein **Lessee** leased certain real property described as Parcels 1 and 2 in Area 1-M of Lake Don Pedro for the sole purpose of grazing cattle; and

**WHEREAS, Lessor and Lessee** entered into a First Amendment to Lease Agreement dated February 25, 2020 to extend the term of the Agreement for one year; and

**WHEREAS, Lessor and Lessee** desire to amend said Lease Agreement to extend the term of the Agreement and to change the compensation to be provided to **Lessor**.

**NOW THEREFORE**, the parties hereto in consideration of the mutual covenants herein recited, hereby agree as follows:

1. Paragraph II, "TERM," is hereby amended to extend the term of the Lease Agreement for one additional year terminating on April 30, 2022.


2. Paragraph III, "CONSIDERATION," is hereby amended to provide that an additional Five Thousand Two Hundred Dollars (\$5,200.00) will be added to the First Amendment amount of Five Thousand Two Hundred Dollars (\$5,200) and the original amount of Five Thousand Two Hundred Dollars (\$5,200.00), making the total compensation paid to **Lessor** Fifteen Thousand Six Dollars (\$15,600.00).

3. Except as herein amended, the Agreement dated May 1, 2015 shall remain in full force and effect.

**IN WITNESS WHEREOF**, the parties have caused this Amendment to be executed on the date first above written.

**LESSOR:**

**LESSEE:**

  
MARSHALL LONG, Chair  
Mariposa County Board of Supervisors

  
ROBERT L. CREE

**ATTEST:**

**APPROVED AS TO FORM:**

  
RENE LAROCHE  
Clerk of the Board

  
STEVEN W. DAHLEM  
County Counsel