

REQUEST FOR BOARD ACTION

HENDERSON COUNTY BOARD OF COMMISSIONERS

MEETING DATE: March 20, 2019

SUBJECT: Amendment to Lease – Emergency Services

PRESENTER: Russ Burrell, County Attorney
Jimmy Brissie, Emergency Management Director

ATTACHMENTS: Yes
1. Amendment to Lease

SUMMARY OF REQUEST:

At the February 4, 2019 meeting, the Board of Commissioners approved a lease for the Bearwallow Mountaintop Transmitter site, used for our emergency communications system. Adjacent is property that the State of North Carolina subleases through the County for their VIPER transmitter site. The arrangement is mutually beneficial to the County and the State, but does expand the scope of our lease. In consideration of this expansion, the Board is requested to amend the lease rate, for the term of the lease.

BOARD ACTION REQUESTED:

The Board is requested to approve the Amendment to Lease, and authorize Staff to execute the document as presented.

Suggested Motion(s):

I move the Board approve the Amendment to Lease as presented, and authorize Staff to execute the document.

STATE OF NORTH CAROLINA

COUNTY OF HENDERSON

AMENDMENT TO LEASE

This Addendum to Lease is executed the date(s) shown below, and is effective as of March 4, 2019, and between George Barnwell Farms, L.L.C. (the "Landlord"), and the County of Henderson, North Carolina (the "Tenant").

Background Facts

A. The parties have entered into a Lease (the "Lease"), effective as of March 4, 2019, for use of a certain parcel, a part of Henderson County Land Records parcel 1018101.

B. The premises demised to the Tenant under the Lease will be partially subleased by the Tenant to the State of North Carolina, for the non-exclusive use by the State for communication facilities similar to those located there by the Tenant.

C. The parties wish to amend a term of the Lease, as stated below.

Agreement

The parties agree to amend the Lease as follows:

1. Paragraph 8, thereof, entitled "Rent", is amended by striking "\$7200.00" and replacing the same with "\$7500.00".

2. Except as expressly amended hereby, the Lease remains in full force and effect in accord with its terms.

GEORGE BARNWELL FARMS, L.L.C.

COUNTY OF HENDERSON

By: _____
Managing Member

By: _____
STEVE WYATT, County Manager

Printed name: _____

STATE OF NORTH CAROLINA
COUNTY OF HENDERSON

I, _____, hereby certify that _____,
Managing Member of George Barnwell Farms, L.L.C., personally appeared before me this day and
acknowledged the due execution of the foregoing document. Witness my hand and notarial seal,
this the _____ day of March, 2019.

Signature of Notary Public

Printed Name of Notary Public

My commission expires: _____

STATE OF NORTH CAROLINA
COUNTY OF HENDERSON

I, _____, hereby certify that Steve Wyatt, County Manager for
County of Henderson, North Carolina, personally appeared before me this day and acknowledged
the due execution of the foregoing document on behalf of the County of Henderson. Witness my
hand and notarial seal, this the _____ day of March, 2019.

Signature of Notary Public

Printed Name of Notary Public

My commission expires: _____