AGENDA ITEM or FINAL CONTRACT REVIEW SUBMITTAL FORM

AgendaTitle:
Agreement to Amend/Extend Contract with Broker; Extension of Business Lease; Nesbitt & Company, LLC for RV Commercial Rentals, LLC; Property Lease, 725 South 10th Street, Unit B, Gunnison, CO 81230; Extension to 9/30/15; $8,040

Action Requested: County Manager Signature

Parties to the Agreement: Nesbitt & Company, LLC and Gunnison County

Term Begins: 09/30/2014 **Term Ends:** 9/30/2015 **Grant Contract #:**

Summary:
This amendment extends the lease for the office/garage space occupied by Recycling staff for a period of one year.

Fiscal Impact: $8,040.00 annually

Submitted by: Marlene Crosby **Submitter's Email Address:** mcrosby@gunnisoncounty.org

Finance Review: (●) Required ( ) Not Required

Comments:

This lease can be accommodated within the recycling budget. It includes a modest 1.5% rate increase from last year's lease.

Reviewed by: GUNCOUNTY1\bcowan Discharge Date: 7/28/2014

County Attorney Review: (●) Required ( ) Not Required

Comments:

The intent is to extend an existing lease. However, the document as drafted is an extension of a "listing agreement." I have a call in to Bill Nesbitt to make the necessary corrections. Currently, not o.k. db 7/28/14
EXTENSION OF BUSINESS LEASE ok db 7/3014

Reviewed by: GUNCOUNTY1\dBaumgarten Discharge Date: 7/30/2014 Certificate of Insurance Required Yes ( ) No (●)

County Manager Review:

Comments:

Reviewed by: GUNCOUNTY1\mbirnie Discharge Date: 7/30/2014

(●) Consent Agenda ( ) Regular Agenda ( ) Worksession Time Allotted:

Agenda Date: 8/5/2014 Follow Up Agenda Date:

Revised April 2013

EXTENSION OF BUSINESS LEASE

THIS EXTENSION OF BUSINESS LEASE is entered into this 5th day of August, 2014 (herein "Extension") and extends the Business Lease dated September 28, 2013 entered into by and between RV Commercial Rentals, L.L.C., a Colorado limited liability company whose address is 1708 California Street NE, Albuquerque, New Mexico 87110 ("Lessor") and the Board of County Commissioners of the County of Gunnison, Colorado whose address is 200 E. Virginia, Gunnison, Colorado 81230 ("Lessee") and identified as Gunnison County Legal Instrument No: 2013-153.

The Lessor and Lessee herein acknowledge and agree that this Extension modifies the above referenced Business Lease as follows:

1. Extension of Term. The term of the Business Lease shall be and hereby is extended from September 30, 2014 to September 30, 2015.

2. Increase of Rental Payments. On October 1, 2014, the rental payments shall be and hereby are increased to a full term amount of Eight Thousand Forty and No/100 U.S. Dollars ($8,040.00), made payable in monthly installments in the amount of Six Hundred Seventy and No/100 U.S. Dollars ($670.00).

3. Ratification. Except as modified herein, the terms and conditions of the above referenced Business Lease are hereby reaffirmed and ratified.

BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF GUNNISON, COLORADO

By: _____
Paula Swenson, Chairperson

ATTEST:

_____
Deputy County Clerk

FOR RV COMMERCIAL RENTALS, L.L.C.,
a Colorado limited liability company, by
NESBITT & COMPANY, L.L.C.,
a Colorado limited liability company

By: _____
Wm J. Nesbitt, II

NESBITT & COMPANY, LLC
104 EAST TOMICHI AVENUE
GUNNISON COLORADO 81230
PHONE: 970-641-2235 FAX: 970-641-6128

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The printed portions of this form, except differentiated additions, have been approved by the Colorado Real Estate Commission. (AE42-8-13) (Mandatory 1-14)

THIS FORM HAS IMPORTANT LEGAL CONSEQUENCES AND THE PARTIES SHOULD CONSULT LEGAL AND TAX OR OTHER COUNSEL BEFORE SIGNING.

AGREEMENT TO AMEND/EXTEND CONTRACT WITH BROKER

Date: July 22, 2014

This Agreement to Amend/Extend amends the following contract which is checked:

☐ Exclusive Right-to-Sell Listing Contract (Seller Listing Contract) or;

☒ Exclusive Right-to-Lease Listing Contract (Landlord Listing Contract),

dated September 24, 2012 & Amend/Extend dated 8/14/2013, relating to the sale or lease of the real estate in the County of Gunnison, Colorado: (Legal Description): as set forth on original lease

known as

725 South 10th Street, Unit B,	Gunnison	CO	81230
Street Address	City	State	Zip (Property).

☐ Exclusive Right-to-Buy Listing Contract (Buyer Listing Contract) or;

☐ Exclusive Tenant Listing Contract (Tenant Listing Contract),

dated _____, between Brokerage Firm named below and the undersigned Buyer or Seller.

If this Agreement is attached to a Seller Listing Contract, the word "Owner" means "Seller". If this Agreement is used with a lease or rental transaction, the word "Owner" means "Landlord", and the word "Buyer" means "Tenant".

This Agreement will control in the event of any conflict with the contract which it amends.

Owner or Buyer and Brokerage Firm agree that the contract is amended as follows:

1. The date ending the Listing Period or Duration of Agency/Duration of Relationship is extended to September 30, 2015.
2. If this Agreement amends the Seller Listing Contract or Landlord Listing Contract, the price or rental rate is changed to $670.00.
3. **Additional amendments:**

All other terms and conditions of said contract will remain the same.

☐Owner ☒Buyer
County of Gunnison
Name

Signature Date:

☐Owner ☐Buyer
By: Matthew Birnie, County Manager
Name

Signature Date:

Brokerage Firm's Name: Nesbitt & Company, LLC
Broker's Name: Wm J Nesbitt, II

7/25/14

1 Broker's Signature Date