# AGENDA ITEM or FINAL CONTRACT REVIEW SUBMITTAL FORM

**Agenda Item:** Ratification of Cty Manager's Signature; Ground Le

**Action Requested:** County Manager Signature

**Parties to the Agreement:** Michael Busse/Garlic Mike's and BOCC

**Term Begins:** **Term Ends:** **Grant Contract #:**

**Summary:**

GROUND LEASE AGREEMENT; EXTENSION OF LEASE TERM, Garlic Mike's Shady Island overflow parking area

**Fiscal Impact:**

**Submitted by:** Laura Stanley **Submitter's Email Address:** lstanley@gunnisoncounty.org

**Finance Review:** (●) Required ( ) Not Required

Comments:
No concerns. ln

Reviewed by: GUNCOUNTY1\lNienhueser Discharge Date: 4/5/2019

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

Comments:
ok db 4/5/19

Reveiwed by: Discharge Date: Certificate of Insurance Required Yes (●) No ( )

**County Manager Review:**

Comments:

Reveiwed by: GUNCOUNTY1\mbirnie Discharge Date: 5/30/2019

(●) Consent Agenda ( ) Regular Agenda ( ) Worksession Time Allotted: 0

Agenda Date: 6/18/2019

*Revised April 2015*

GROUND LEASE AGREEMENT; EXTENSION OF LEASE TERM

THIS GROUND LEASE AGREEMENT; EXTENSION OF LEASE TERM is made and entered into on this 30TH day of April 2018, by and between the BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GUNNISON, COLORADO, a political subdivision of the State of Colorado, whose address is 200 E. Virginia, Gunnison, Colorado 81230 (hereinafter "Lessor"), and Garlic Mike's Italian Cuisine Restaurant, whose address is 2674 State Highway 135, Gunnison, Colorado 81230 (hereinafter "Garlic Mike's").

RECITALS

WHEREAS, Lessor and Garlic Mike's previously entered into a "Ground Lease Agreement" dated March 2, 2018 (the "March 2, 2018 Agreement"); and

WHEREAS, the term of the March 2, 2018 Agreement has expired; and

WHEREAS, Lessor and Garlic Mike's intent to extend the term of the March 2, 2018 Agreement;

NOW, THEREFORE, for and in consideration of the mutual covenants, terms and conditions herein contained, which are valuable and sufficient, Lessor and Garlic Mike's hereby agree as follows:

1. TERM OF LEASE EXTENDED.

   The term of the March 2, 2018 Agreement is extended from January 1, 2019 through end of December 31, 2019.

2. LIABILITY.

   The amounts of insurance required in the March 2, 2018 Agreement, paragraph 13, are hereby amended to be:

   a. For any injury to one person in any single occurrence, the sum of Three Hundred Eighty-Seven Thousand and No/100 U.S. Dollars ($387,000.00); and

   b. For any injury to two or more persons in any single occurrence, the sum of One Million Ninety-Three Thousand and No/100 U.S. Dollars ($1,093,000.00).

3. ALL TERMS ADOPTED.

   In all other regards, except as expressly amended herein, all terms of the March 2, 2018 Agreement are hereby adopted.

IN WITNESS WHEREOF, the parties hereto have set their hands and seals, effective as of the day and year set forth above.

BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF GUNNISON, COLORADO

By: 4-30-19
Matthew Birnie, County Manager

ATTEST

Deputy County Clerk

GUNNISON COUNTY SEAL COLORADO

GARLIC MIKE'S ITALIAN
CUISINE RESTAURANT

By:
Michael Busse, Owner