

RESOLUTION R-4759

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND AUTHORIZING THE CITY MANAGER TO EXECUTE AN AMENDMENT TO THE LEASE AGREEMENT FOR THE USE OF THE WATER DISTRICT PROPERTY BY HOPELINK.

WHEREAS, the City and Hopelink entered into a Lease Agreement on February 15, 2007, for the Water District Building located on the real property legally described as:

Lot 62, Block 84 of Burke & Farrars Addn. to Kirkland 20; and

WHEREAS, the original term of the Lease was two and one-half (2 and ½) years commencing on January 1, 2007, and ending June 30, 2009; and

WHEREAS, Hopelink has given the City timely written notice of its request to extend the term and the other conditions set forth in Section 3.2 of the Lease have been met;

NOW, THEREFORE, be it resolved by the City Council of the City of Kirkland as follows:

Section 1. The City Manager is hereby authorized and directed to execute on behalf of the City an Amendment of Lease agreement substantially similar to the agreement attached hereto as Exhibit A.

Passed by majority vote of the Kirkland City Council in open meeting this 5th day of May, 2009.

Signed in authentication thereof this 5th day of May, 2009.


MAYOR

Attest:


Kathie Anderson
City Clerk

Exhibit A

AMENDMENT OF LEASE

THIS AMENDMENT OF LEASE AGREEMENT between Hopelink, a nonprofit corporation organized under the laws of the state of Washington (referred to as "Hopelink"), and the City of Kirkland, a municipal corporation of the state of Washington (referred to as the "City").

WITNESSETH:

WHEREAS, the City and Hopelink entered into a Lease Agreement on February 15, 2007, for the Water District Building located on the real property legally described as:

Lot 62, Block 84 of Burke & Farrars Addn. to Kirkland 20; and

WHEREAS, the original term of the Lease was two and one-half (2 and ½) years commencing on January 1, 2007, and ending June 30, 2009; and

WHEREAS, Hopelink has given the City timely written notice of its request to extend the term and the other conditions set forth in Section 3.2 of the Lease have been met;

NOW, THEREFORE:

1. Section 3 of the Lease, entitled "Term," is amended as follows:

SECTION 3 TERM

- 3.1** This lease shall be for a term of six (6) months commencing July 1, 2009, and ending December 31, 2009.
- 3.2** [Deleted.]
- 3.3** For the extended term, all other terms and conditions of the Lease Agreement are incorporated as though set forth in full but are not included in this Amendment as its sole purpose is for six (6) month extension of the Lease of the real property described above.
- 3.4** Hopelink may terminate this Lease and be relieved of any future duties under it, at any time, so long as Hopelink has given the City two months written notice in advance of the date for early termination.

**SECTION 20
ENTIRE AGREEMENT**

20.1 The Lease and this Amendment contain the entire agreement and understanding of the City and Hopelink with respect to the subject hereof, and supersede all prior or contemporaneous oral or written, understandings, agreements, promises or other undertakings between the parties.

LANDLORD:

TENANT:

CITY OF KIRKLAND

HOPELINK

David Ramsay, City Manager

Marilyn Mason-Plunkett
President & CEO

Approved as to Form:

JOINT BOARD

Robin S. Jenkinson, City Attorney

Daryl Grigsby,
Public Works Director/Representative