

## LEASE AMENDMENT NO. 4

This LEASE AMENDMENT No. 4, to Lease Agreement No. A-12690 (Lease Agreement) is made by and between San Jose Ave. Apartments LLC ("LESSOR"), and COUNTY OF MONTEREY c/o Public Works, Facilities and Parks, Attn: Real Property Specialist, 1441 Schilling Place, South Building, 2nd Floor, Salinas, California 93901 (referred to herein as "LESSEE") (collectively referred to as, "the parties").

### WITNESSETH

WHEREAS, LESSOR's predecessor 559 E. Alisal Street, LLC and LESSEE previously entered into that certain LEASE AGREEMENT, dated June 10, 2015 (the "Lease" or Lease Agreement No. A-12690), whereby LESSOR's predecessor leased to LESSEE and LESSEE leased from LESSOR approximately 11,761 rentable square feet of space located at 559 East Alisal Street, Suites 106 and 200, in Salinas, California, for use by the Health Department's Clinic Services Bureau (hereinafter referred to as the "Premises"). The initial Lease term provided for a "Lease Commencement Date" of June 10, 2015 with an initial five (5) year term ending June 09, 2020.

WHEREAS, effective May 12, 2018, the Premises owned by Ramiro and Sarai Alcala dba 559 East Alisal, LLC was sold and ownership was transferred to Khosrow Haghshenas, dba San Jose Ave. Apartments, LLC.

WHEREAS, LESSOR and LESSEE amended the Lease pursuant to the terms of LEASE AMENDMENT NO. 1 to Lease Agreement No. A-12690 dated June 10, 2015, whereby the Lease was extended through and including June 09, 2022, the monthly rent was adjusted to \$22,158.87 according to the corresponding rent schedule. The Tenant Improvements were retained in its "as-is" condition, pending the negotiation of Tenant Improvements, and Article 19 – Insurance and Indemnification was modified. Lease Agreement No. A-12690 and Amendment No. 2 (Agreement No. 15020) to said Lease shall be collectively referred to as the "Lease".

WHEREAS, LESSOR and LESSEE amended the Lease pursuant to the terms of LEASE AMENDMENT NO. 2 to Lease Agreement No. A-12690 dated October 21, 2021, whereby the Lease was extended through and including June 9, 2023, the monthly rent was adjusted to \$22,953.90 according to the corresponding rent schedule, negotiations for tenant improvements added Suite 107 with approximately 320 rentable square feet, increased the size of the leased Premises from 11,761 to 12,081 rentable square feet. Lease Agreement No. A-12690 and Amendment No. 2, to said Lease shall be collectively referred to as the "Lease".

WHEREAS, LESSOR and LESSEE amended the Lease pursuant to the terms of LEASE AMENDMENT NO. 3 to Lease Agreement No. A-12690 dated June 10, 2023, whereby the Lease was extended through and including February 9<sup>th</sup>, 2024, the monthly rent was adjusted \$24,822.50 according to the corresponding rent schedule. The Tenant Improvements were retained in its "as-is" condition, pending the negotiation of Tenant Improvements.

WHEREAS, LESSOR, and LESSEE desire to amend said Lease to extend the term of six (6) additional months, to continue to negotiate tenant improvements and add Suite 108 with approximately 905

rentable square feet, thereby increasing the size of the leased Premises from 12,081 to 12,986 rentable square feet and to adjust the rent.

NOW, THEREFORE, it is hereby agreed that said Lease is amended effective as of February 10, 2024, as set forth below:

### **1. Extended Term**

The term of the Lease shall be extended for an additional eight (6) months commencing on, February 10, 2024, through and including August 9, 2024.

### **2. Rent**

The rent will be increased to include Suite 108 at approximately 905 square feet, at the current rate of \$2.25 per square foot (\$2,036.25), effective February 10, 2024. [Rent is computed as follows: Suites **106, 107 and 200** base rent of (\$2.05 per square foot, \$24,822.50/mo.) and Suite **108** base rent of (\$2.25 per square month, \$2,036.25/mo.) for a total sum of Twenty-Six Thousand Eight Hundred Fifty-Eight and 75/100 Dollars (\$26,858.75). The monthly rent shall be increased by the fixed amount of two and one-half percent (2.5%) to reflect Cost of Living, effective June 1, 2024, per Rent Schedule below.

RENT SCHEDULE		
Period	Monthly Rent for 12,986 = Square Feet	Monthly Rent
February 10, 2024 - May 31, 2024	Twenty-Six Thousand Eight Hundred Fifty-Eight and 75/100 Dollars	\$26,858.75
June 1, 2024 - August 9, 2024	Twenty-Seven Thousand Five Hundred Thirty and 32/100 Dollars	\$27,530.32

### **3. Tenant Improvements**

LESSEE is to retain the space in its "as-is" condition pending the negotiation of Tenant Improvements which shall take place during the term of this Extended Term.

All other terms, covenants and conditions of the Lease shall remain in full force and effect. In the event of any conflicts between the terms and conditions of the Lease and the terms and conditions of this LEASE AMENDMENT NO. 4, the terms and conditions of this LEASE AMENDMENT NO. 4 shall prevail.

### **4. Incorporation of Recitals**

The recitals to this LEASE AMENDMENT NO. 4 to Lease Agreement No. A-12690 are incorporated by this reference.

### **5. Interpretation of Conflicts**

All other terms, covenants and conditions of the Lease shall remain in full force and effect. In the event of any conflicts between the terms and conditions of Lease Agreement No. A-12690 as amended pursuant to Amendment Nos 1-3, and the terms and conditions of this Amendment No. 4 to Lease

Agreement No. A-12690, the terms and conditions of this Amendment No. 4 to Lease Agreement No. A-12690 shall prevail.

IN WITNESS WHEREOF, LESSOR and LESSEE have executed this LEASE AMENDMENT NO. 4 as of the last date opposite the respective signatures below.

**LESSEE:** (County of Monterey)

BY: \_\_\_\_\_  
Contracts/Purchasing Officer

Dated: \_\_\_\_\_

**LESSOR:** (San Jose Ave. Apartments, LLC)

BY: *[Signature]*  
Printed Name: Khosrow Haghshenas

Title: Manager /Owner

Dated: 01/25/24

**APPROVED AS TO FORM:**

Office of the County Counsel-Risk Manager,  
Susan Blicht, County Counsel-Risk Manager

DocuSigned by:  
BY: *Mary Grace Perry*  
Mary Grace Perry, Deputy County Counsel

Date: 1/30/2024 | 10:41 AM PST

**Department Approval:**

BY: \_\_\_\_\_  
Elsa Mendoza Jimenez, Director of Health Services

Dated: \_\_\_\_\_

**LESSOR:** (San Jose Ave Apartments, LLC)

BY: \_\_\_\_\_  
Signature  
Name: \_\_\_\_\_  
Printed  
Name: \_\_\_\_\_

Title: \_\_\_\_\_

Dated: \_\_\_\_\_

**APPROVED AS TO FISCAL PROVISIONS:**

Rupah Shah, Auditor-Controller

DocuSigned by:  
BY: *Patricia Ruiz*  
Name: Patricia Ruiz  
Title: Auditor Controller Analyst I

Dated: 1/30/2024 | 7:12 AM PST