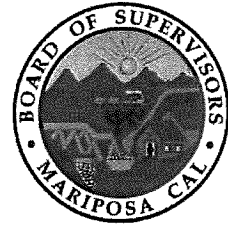




MARIPOSA COUNTY

County Counsel • (209) 966-3222



RESOLUTION - ACTION REQUESTED 2018-205

MEETING: May 8, 2018
TO: The Board of Supervisors
FROM: Steve Dahlem, County Counsel - Interim Human Resources Director
RE: Fourth Amendment to License Agreement for Coulterville Community School & Parking Area

RECOMMENDATION AND JUSTIFICATION:

Approve a Fourth Amendment to License Agreement Between the Mariposa County Unified School District and the County of Mariposa for License of Real Property Commonly Known as the Coulterville Community School and Parking Area; and Authorize the Board of Supervisors Chair to Sign the Amendment.

The Third Amendment to License Agreement will expire on June 30, 2018. If approved, this Fourth Amendment will become effective on July 1, 2018 and continue through June 30, 2019.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

The School District and County entered into a License Agreement in 1996. Amendment #01 to License Agreement was entered into on March 22, 2006 to extend the duration of the License Agreement. The Second Amendment to License Agreement was entered into on April 26, 2016 to extend the term of the Agreement for one additional year and the Third Amendment to License Agreement was entered into on May 9, 2017 to extend the term of the Agreement for one additional year.

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

FINANCIAL IMPACT:

None

ATTACHMENTS:

Fourth Amendment to License Agreement (PDF)
Third Amendment to License Agreement (PDF)
Second Amendment to License Agreement (PDF)
First Amendment to License Agreement (PDF)
License Agreement (PDF)

Resolution - Action Requested 2018-205

RESULT: **ADOPTED BY CONSENT VOTE [UNANIMOUS]**

MOVER: Merlin Jones, District II Supervisor

SECONDER: Kevin Cann, District IV Supervisor

AYES: Smallcombe, Jones, Long, Cann, Menetrey

FOURTH AMENDMENT TO LICENSE AGREEMENT

THIS FOURTH AMENDMENT TO LICENSE AGREEMENT is made and entered into this 4th day of April, 2018, by and between the Mariposa County Unified School District, hereinafter referred to as “**Licensor**”, and the County of Mariposa, a political subdivision of the State of California, hereinafter referred to as “**Licensee**”.

WHEREAS, Licensor and Licensee have heretofore entered into a License Agreement dated June 16, 1996, wherein **Licensor** agreed to allow **Licensee** to use certain real property commonly known as the Coulterville Community School and parking area (“Premises”), as more fully described in the License Agreement; and

WHEREAS, Licensor and Licensee entered into Amendment to License Agreement dated January 30, 2006, which extended the duration of the License Agreement to April 30, 2016; and

WHEREAS, Licensor and Licensee entered into a Second Amendment to License Agreement dated April 26, 2016, which extended the duration of the License Agreement to June 30, 2017; and

WHEREAS, Licensor and Licensee entered into a Third Amendment to License Agreement dated May 9, 2017, which extended the duration of the License Agreement to June 30, 2018; and

WHEREAS, Licensor and Licensee desire to enter into a Fourth Amendment to said License Agreement to further extend the duration of the License Agreement to June 30, 2019;

NOW, THEREFORE, the parties hereto in consideration of the mutual covenants herein recited, hereby agree as follows:

1. Paragraph 1, "DURATION", is hereby further amended to provide that **Licensors** hereby licenses to **Licensee** use of the Premises commencing July 1, 2018 and continuing through June 30, 2019.

2. Except as herein amended, the License Agreement dated June 16, 1996, Amendment to License Agreement dated January 30, 2006, Second Amendment to License Agreement dated April 26, 2016, and Third Amendment to License Agreement dated May 9, 2017 shall remain in full force and effect.

IN WITNESS WHEREOF, the parties have caused this Third Amendment to be executed on the date first above written.

LICENSOR:

LICENSEE:

Robin Hopper Date: 4/13/18
ROBIN HOPPER, Superintendent
Mariposa Unified School District

5/9/18
Rosemarie Smallcombe Date: 5/9/18
ROSEMARIE SMALLCOMBE, Chair
Mariposa County Board of Supervisors

ATTEST:

APPROVED AS TO FORM:

Rene La Roche Date: 5/9/18
RENE LAROCHE
Clerk of the Board

Steven W. Dahlem Date: _____
STEVEN W. DAHLEM
County Counsel