

**AMENDMENT NUMBER 2  
SECOND EXTENSION OF LEASE  
SITE AGREEMENT FOR CHEHALEM COMMUNICATIONS SITE**

**OREGON DEPARTMENT OF TRANSPORTATION  
AND  
YAMHILL COUNTY**

This Second Amendment is made and entered into this 25<sup>th</sup> day of June 2015, by and between the **State of Oregon**, acting by and through its Department of Transportation, hereinafter referred to as "State" or "ODOT" and Yamhill County, a political subdivision of the State of Oregon acting by and through its Board of Commissioners, hereinafter referred to as "Lessee," both herein referred to individually or collectively as "Party" or "Parties."

**RECITALS**

WHEREAS, the Parties entered into a lease on August 1, 2005, amended on March 24, 2010, for certain premises in the city of Newberg, Yamhill County, Oregon, and commonly known as the Chehalem Mountain communications site;

WHEREAS, the Lease provides for two extension terms of five (5) years each and Lessee now desires to exercise the second extension and State is agreeable;

WHEREAS, oversight of this Lease is now with the Wireless Communications Section of the Department of Transportation and contact and notice information has changed;

**Now therefore, State and Lessee mutually agree to amend the Lease as follows:**

1. **TERM.** Lessee hereby exercises its second of two extension options for a five (5) year term. The Lease is hereby extended through June 30, 2020.
2. **CONSIDERATION.** The rental fee shall be \$4,425.30 per year payable in advance on July 1<sup>st</sup> of each year of the term, at the address for the State shown in the Notices section herein, or as may be changed by State. The rental rate is based on the 2015 ODOT Wireless Rates Sheet, more specifically as follows:

ODOT Wireless Rental Rates for suburban population for 2015:

3 Racks @ \$1,475.10 per rack = \$4,425.30 annually or \$368.78 monthly

3. **NOTICES.** The Notices section of the Lease is hereby deleted in its entirety and replaced with the following:
  - a. Any notice required or permitted to be sent under this Lease will be deemed sent when it is deposited in the United States Mail, postage prepaid, addressed to the other Party at the following address, or other address as

may be changed pursuant to this section. Address changes and contact information may be submitted using United States Mail or e-mail.

- b. Either Party hereto may change the place for the giving of notice by providing thirty (30) days prior written notice to the other as provided herein.
- c. Notices and contact information for State and Lessee under this Lease are:

If to State: ODOT/OSP Wireless Section Manager, or designee  
455 Airport Rd SE, Building C  
Salem, OR 97301-5375  
[WirelessWorkOrderDesk@ODOT.state.or.us](mailto:WirelessWorkOrderDesk@ODOT.state.or.us)  
(503) 986-2911

If to Agency: Agency Contact  
Murray Paolo, IS Manager  
Yamhill County  
636 NE 7<sup>th</sup> Street  
McMinnville, OR 97128  
(503) 434-7505 x 6  
[paolom@co.yamhill.or.us](mailto:paolom@co.yamhill.or.us)

Except as herein modified, all of the terms, conditions and requirements of said lease agreement and first amendment of said lease agreement shall remain in full force and effect as heretofore.

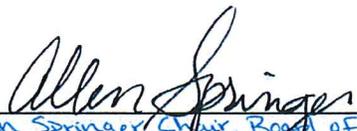
[SIGNATURE PAGE TO FOLLOW]

This Amendment may be executed in several counterparts (facsimile or otherwise) all of which when taken together shall constitute one agreement binding on all Parties, notwithstanding that all Parties are not signatories to the same counterpart. Each copy of this Amendment so executed shall constitute an original.

**THE PARTIES**, by execution of this Agreement, hereby acknowledge that their signing representatives have read this Agreement, understand it, and agree to be bound by its terms and conditions.

YAMHILL COUNTY, by and through its Board of Commissioners

STATE OF OREGON, by and through its Department of Transportation

By   
Allen Springer, Chair, Board of Commissioners  
Date 6-25-15

By   
Major Projects Branch Manager  
State Maintenance & Operations Engineer  
Date 7/13/15

By   
Mary Sturrett, Vice-Chair, BOC  
Date 6/25/15

APPROVAL RECOMMENDED  
By  Robert Reish  
ODOT/OSP Wireless Section Manager, or designee  
Date 7/9/15

**Agency Contact:**  
Murray Paolo, IS Manager  
Yamhill County  
636 NE 7<sup>th</sup> Street  
McMinnville, OR 97128  
(503) 434-7505 x 6  
[paolom@co.yamhill.or.us](mailto:paolom@co.yamhill.or.us)

APPROVED AS TO LEGAL SUFFICIENCY  
   NA Does not meet threshold

**APPROVED AS TO FORM:**  
By   
County Counsel

State Contact:  
ODOT/OSP Wireless Section Manager, or designee  
455 Airport Road, Building C  
Salem, OR 97301  
503-986-2911  
[WirelessWorkOrderDesk@ODOT.state.or.us](mailto:WirelessWorkOrderDesk@ODOT.state.or.us)

Accepted by Yamhill County Board of Commissioners on 6-25-15 by Board Order # 15-201