

**AMENDMENT NO. 1
COMMERCIAL PROPERTY LEASE AGREEMENT
(Yamhill County and Ronald, Ryan, and Linda Hixson)**

THIS AMENDMENT NO. 1 (“Amendment #1”) shall be made effective as of the last date set forth adjacent to the signatures of the parties below, between **YAMHILL COUNTY**, Oregon, a political subdivision of the State of Oregon, acting by and through its Sheriff’s Office, (“TENANT”) and **RONALD, RYAN, AND LINDA HIXSON**, 6583 SW Joshua Ct, Powell Butte, OR 97753-1664 (“LANDLORD”).

RECITALS:

WHEREAS, TENANT and LANDLORD are parties to a certain agreement, dated May 4, 2023 and approved under Board Order 23-171 (the “Underlying Agreement”), pursuant to which TENANT is leasing commercial property as further described in the Underlying Agreement; and

WHEREAS, LANDLORD is installing electrical power to the property at their expense for use by TENANT; and

WHEREAS, LANDLORD and TENANT now desire to modify the Underlying Agreement upon the terms and conditions as set forth herein; and now, therefore

THE PARTIES HEREBY AGREE AS FOLLOWS:

1. Section III of the Underlying Agreement is hereby amended as follows (additions are underlined and deletions are in strike-out):
 - D. EXPENSES - It is the intention of the Parties that this Lease be considered a “Gross Lease” and as such, the Base Monthly Rate is the entirety of the monthly rent, other than electrical utilities the Tenant utilizes in support of their use of the property, which shall be paid by the Tenant directly to the service provider once available. ~~Therefore,~~ The Tenant is not obligated to pay any additional expenses which includes utilities (other than electrical), real estate taxes, insurance (other than on the Tenant’s personal property), charges, or expenses of any nature whatsoever in connection with the ownership and operation of the Premises.

Except as otherwise expressly modified by the terms of this Amendment #1, all other terms and conditions of the original contract are still in full force and effect. CONTRACTOR certifies that the representations, warranties, and certifications contained in the original agreement are true and correct as of the effective date of this Amendment and with the same effect as though made at the time of this Amendment.

[SIGNATURE PAGE TO FOLLOW]

IN WITNESS WHEREOF, the parties hereto have caused this Amendment No. 1 to be signed by their duly authorized representatives the day and year first written above.

LANDLORD
Ronald, Ryan, and Linda Hixson

TENANT
Yamhill County

BY: s/Linda Hixson
Ronald, Ryan, and Linda Hixson

BY: *Lindsay Berschauer*
Lindsay Berschauer, Chair
Yamhill County Board of Commissioners

DATE: 08-22-2023

DATE: 8/31/23

BY: Tim Svenson
Digitally signed by Tim Svenson
Date: 2023.08.23 14:39:48 -07'00'
Tim Svenson, Sheriff

DATE: 8/23/23

APPROVED AS TO FORM:

BY: *Colton Totland*
Colton Totland, County Counsel

Accepted by Yamhill County
Board of Commissioners on
8/31/23 by Board Order
23-339