

**SECOND ADDENDUM TO
LEASE AGREEMENT
BETWEEN THE CITY OF KENT AND
THE PUGET SOUND REGIONAL FIRE AUTHORITY
FOR THE WASHINGTON AVENUE NORTH SITE**

THIS SECOND ADDENDUM TO LEASE AGREEMENT (hereinafter "ADDENDUM") is between the PUGET SOUND REGIONAL FIRE AUTHORITY (fka Kent Fire Department Regional Fire Authority), a Washington municipal corporation, with offices located at 24611 116th Avenue Southeast, Kent, Washington 98032, ("RFA") and the CITY OF KENT, a municipal corporation of the State of Washington, with offices located at 220 4th Avenue South, Kent, Washington 98032 ("City" and "Tenant").

RECITALS

1. Pursuant to the creation of the RFA in July 2010, the City sold to the RFA for \$1.00 real property legally described in Exhibit A attached and incorporated herein and located at 407 Washington Avenue North, Kent, Washington ("Property"). The RFA leased a portion of the Property back to the City pursuant to a Lease Agreement dated July 1, 2010 "Lease."
2. The RFA subsequently leased the entire Property to the City pursuant to the First Addendum executed in March 2013. In accordance with the First Addendum, the City made improvements to the Property.
3. The Parties have been engaged in good faith discussions regarding the RFA's exchange of its remaining interests in the Property to the City in consideration for a vacant lot owned by the City at the northwest corner of 116th Avenue SE and SE 248th Street, as well as nonmonetary consideration needed to establish equity in the exchange. Nonmonetary consideration(s) may be in the form of assistance in establishing an equitable development plan and infrastructure that meets the needs of the City and the RFA at property located in the Kent valley and/or Kent's west or east hill areas.
4. The City would like to have its leasehold interest protected during the continued negotiations.
5. The RFA is agreeable to extending the time period for termination of the City's Leasehold interest.

AGREEMENT

In consideration of the mutual benefits and promises contained herein, the parties agree to the following addendum to the Lease

1. Amended Provision.

1.1. Section 3.4 of the Lease is replaced in its Entirety by the Following

3.4 Early Termination. The RFA may terminate this Lease prior to the Termination Date if the RFA intends to use the Property for RFA purposes. The RFA shall provide Tenant at least one year prior written notice of its intention to terminate the Lease. Tenant shall allow the RFA, reasonable access to the Property, consistent with Section 15 of the Lease, during the one year notice period for purposes of the RFA planning for its future use of the Property. The Tenant may also terminate this Lease prior to the Termination Date upon giving RFA at least sixty (60) days prior written notice of its intention to terminate the Lease early.

IN WITNESS, the parties below execute this MOU, which shall become effective on the last date entered below.

RFA:

Puget Sound
Regional Fire Authority:

CITY:

City of Kent:

By: Jim Schneider

Print Name: Jim Schneider
Its Fire Chief

DATE: August 23, 2017

By: Suzette Cooke

Print Name: Suzette Cooke
Its Mayor

DATE: 8/24/17