

NE Airport Approved 6-6-02

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# FIRST AMENDMENT TO THE LEASE BETWEEN DOUGLAS COUNTY AND SAMUEL G. SOUTHWICK TRUST

This first amendment to the real property lease agreement (LL023) dated May 1, 1998, is made on June 6, 2002, between Douglas County, by the Douglas County Board of Commissioners, ("Landlord"), whose address is Post Office Box 218, Minden, Nevada, 89423, and Samuel G. Southwick, M.D., ("Tenant"), whose address is P. O. Box 12085, Zephyr Cove, Nevada, 89448, for and on behalf of Samuel George Southwick, Trustee of The Samuel George Southwick Trust, who agree as follows:

## RECITALS

This amendment is made with reference to the following facts and objectives:

- a. Landlord entered into a written lease agreement for the parcel on May 1, 1998, with Samuel George Southwick, Trustee of The Samuel George Southwick Trust. Lease is recorded as document 0437569 book 498, pages 3313-3338 on April 17, 1998.
- b. Landlord and Tenant have agreed to change location of lot and reduce the size of lot. Landlord and Tenant have also agreed to a new 25 year term with option of 15 years.

The parties agree to amend the lease as follows:

- 1. 4. Term  
Replace second sentence with "The effective date or commencement date of this lease is June 6, 2002."
- 2. 6. Rent  
Site Rent: Replace the second sentence with "The annual rent amount is \$197.84 (1584 square feet x 12.49 cents)."
- 3. 30. Notice  
Replace the mailing address of tenant:  
P. O. Box 12085  
Zephyr Cove, NV 89448
- 4. Replace Exhibit A with Exhibit 1A.
- 5. Replace Exhibit B with Exhibit 1B.

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FILED  
NO 2002.157

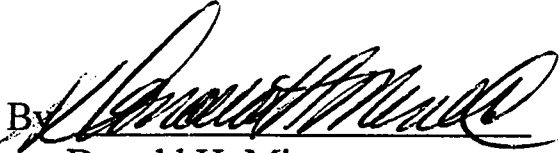
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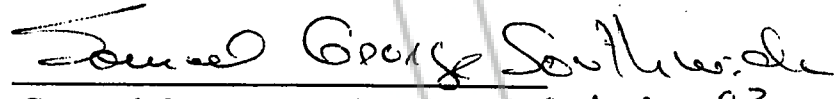
**COUNTY**

**TENANT**


**DOUGLAS COUNTY,**  
a political subdivision of the State  
of Nevada

**Samuel George Southwick Trust**  
Dated 7 December 1992

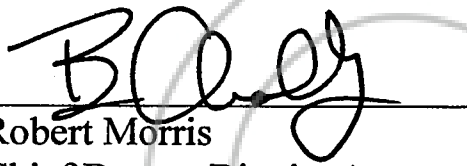
By   
Donald H. Miner  
Chair, Douglas County Commissioners

By   
Samuel George Southwick  
Trustee of the Samuel George  
Southwick Trust  
Dated 7 December 1992


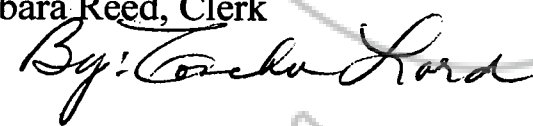
Recommended for approval  
and approved as to content:

By   
Jim Braswell  
Operational Services Director

Approved as to form:

By   
Robert Morris  
Chief Deputy District Attorney

Attest:

By  Date 6-6-02  
Barbara Reed, Clerk  
By: 

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2/1/02  
01284-3

DESCRIPTION  
Lease Parcel  
44' x 36' Hangar  
*F-32*

All that real property situate in the County of Douglas, State of Nevada,  
described as follows:

All that portion of Section 17, Township 13 North, Range 20 East, M.D.M.,  
more particularly described as follows:

Beginning at a point which bears North  $83^{\circ}08'13''$  East 87.65 feet from  
Airport Monument No.4;

thence North  $45^{\circ}47'02''$  East 36.00 feet;

thence South  $44^{\circ}12'58''$  East 44.00 feet;

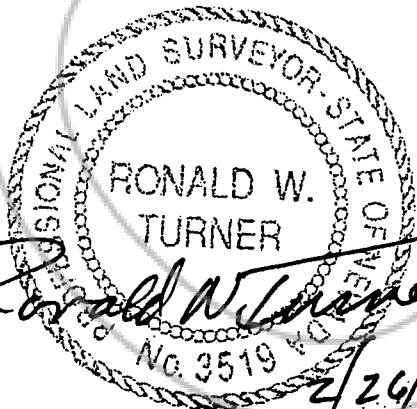
thence South  $45^{\circ}47'02''$  West 36.00 feet;

thence North  $44^{\circ}12'58''$  West 44.00 feet to the Point of Beginning.

The Basis of Bearing for this description is referenced to the Amended  
Record of Survey No.14 for Douglas County, Document No. 175537.

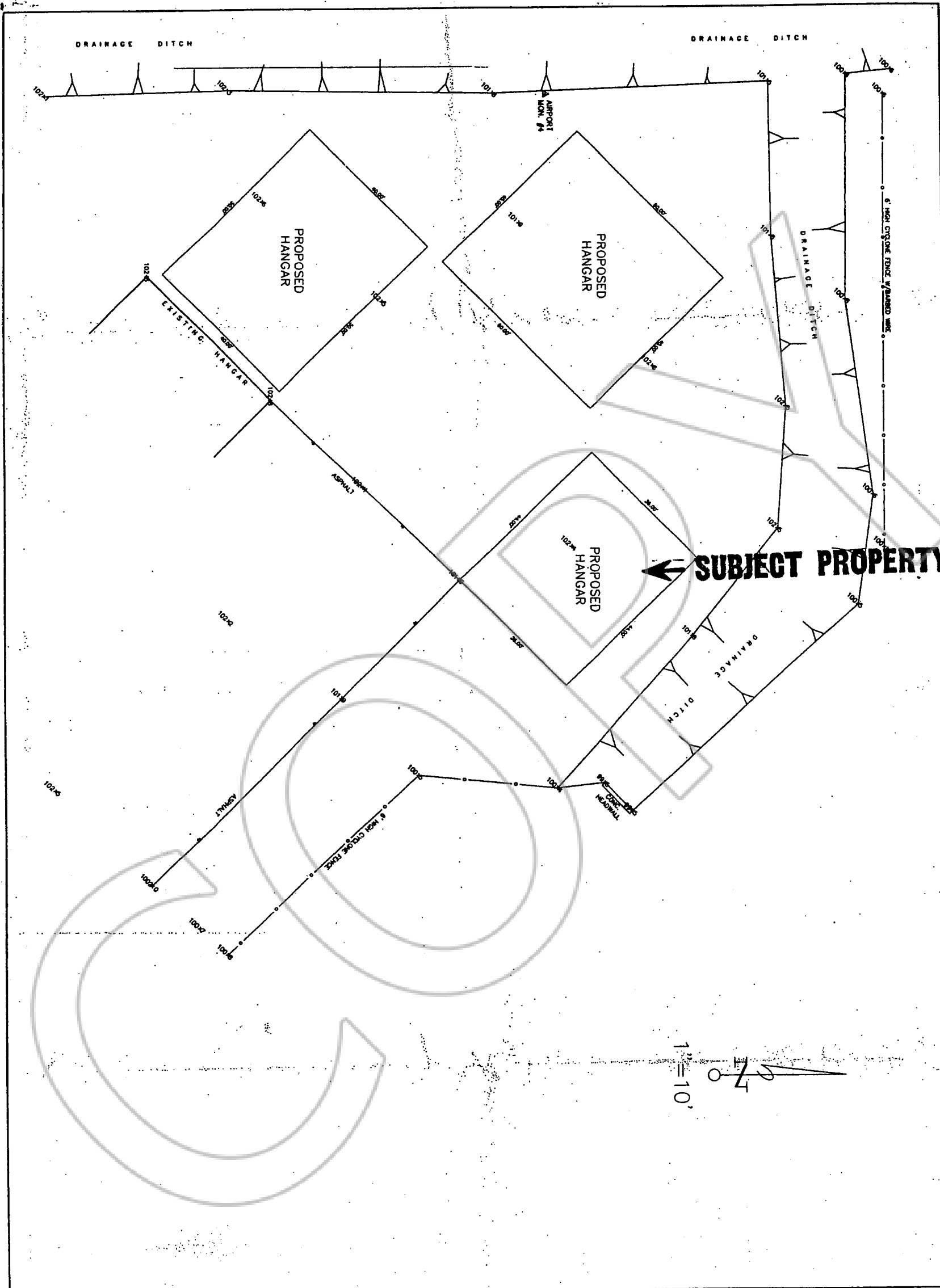
Note: Refer this description to your title company before  
incorporating into any legal document.

Prepared by: Turner & Associates, Inc.  
Land Surveying  
P.O. Box 5067  
Stateline, NV 89449



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TOPOGRAPHIC SURVEY  
**PROPOSED HANGAR LOCATION 0544416**  
 MINDEN TAHOE AIRPORT  
 DOUGLAS Co. NEVADA

DESIGN  
 DRAWN  
 CHECKED  
 SUBMITTED

**RONALD W. TURNER**  
 SURVEYOR  
 2-26-02

APN	DATE
LOT	NOV. '01
BLOCK	N/A
SUBDIVISION	SHEET
ADDRESS	1
N/A	OF
N/A	1
COUNTY	JOB NO.
DOUGLAS	01284

**TA TURNER & ASSOCIATES, INC.**  
 LAND SURVEYING  
 (702) 886-8888  
 FAX (702) 886-8788  
 160 PINEHURST - CHESTNUT GRADE  
 P.O. BOX 9887 - STAPLEH, NEVADA 89448

BK 0602 PG 03503

## EXHIBIT "B" - Construction Exhibits

Tenant may construct the following improvement upon notification to County: Construct a hangar of approximately 1584 sf (44x36) on the leasehold property with an asphalt apron to the existing taxiway the width of the hangar.

A. Plans and County's Approval. Tenant shall obtain written approval of all plans for buildings, grading, paving, drainage, utilities, landscaping, or other improvements by the director before construction may be commenced. All construction of improvements must conform with the approved plans and shall be constructed or installed in accordance with all applicable statutes, ordinances, building codes, and rules and regulations of county, and other authority that may have jurisdiction over the premises and Tenant's operations, including, but not limited to the Douglas County Community Development Department, East Fork Fire and Paramedic District or the Federal Aviation Administration. Tenant is solely responsible for determining and obtaining all necessary permits and approvals, and for paying any and all fees required, for the construction. The director's approval of Tenant's plans and specifications does not constitute a representation or warranty as to its conformity.

B. Construction Schedule. Tenant must begin the construction of the improvements within 12 months after the notification to County, and shall complete the construction within 24 months from the commencement date.

C. Delay of Construction. Upon Tenant's written request to the director, the dates in this section may be extended by written approval of the director. This may include time lost as a result of work stoppages, strikes, shortages of material, or acts of God, provided the time lost is entirely beyond Tenant's control. The rent must be paid during any delay.

D. Inspection and Acceptance. Tenant shall obtain building permits and approvals required. All improvements including, but not limited to, buildings, site preparation, sub-grade preparation, paving, drainage, and overall development of the premises, shall be subject to inspection, testing, and acceptance in accordance with applicable law.

E. Engineering. Tenant must set the necessary boundary stakes on the premises and shall provide any surveys required for the design of the area paving. The director must furnish Tenant with control information required for ground and pavement elevations, specifications for earthwork, pavement, and drainage. Any material deviation from the approved plans and specification must have prior approval by the director and any required governmental agency.

F. Utilities. Upon the prior written approval by the director, Tenant must install other utilities on the premises at its own cost and expense, including all connection, inspection, and service fees. All utilities must be installed underground, unless agreed to

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in writing by the director and waived by the planning commission. The County may negotiate with Tenant for the oversizing or extension of utilities to serve other parcels.

G. Paving and Concrete. Tenant must construct the pavement for the aircraft movement areas and the concrete hangar floors to accommodate the heaviest aircraft expected to operate in the area, or fully loaded fuel trucks, whichever is of greater weight, with a minimum expected pavement life of no less than 20 years. Any roadway access must be in accordance with county standards for comparable construction.

H. Notice of Non-Responsibility. County intends to post and to record a notice of county non-responsibility within 3 days of execution of this agreement. A copy of the notice shall be retained by the director following recordation at the County Recorder's Office.

I. Finish Site Grading. Tenant shall perform, at Tenant's expense, all finish grading of the premises. County will furnish, if available, native material.

J. Frontage Clearances. Tenant must construct the improvements so that all frontages and clearance of the improvements are in compliance with county standards and so they do not encroach upon the building restriction line shown on the ALP.

**CERTIFIED COPY**

The document to which this certificate is attached is a full, true and correct copy of the original on file and on record in my office.

DATE: June 11 2003  
B. P. Clerk of the 9th Judicial District Court  
of the State of Nevada, in and for the County of Douglas.

By [Signature] Deputy

**SEAL**

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COPY

REQUESTED BY  
**DOUGLAS COUNTY**  
IN OFFICIAL RECORDS OF  
DOUGLAS CO. NEVADA

2002 JUN 12 PM 12: 08

LINDA SLATER  
RECORDER

\$ 0 PAID KJ DEPUTY

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