



Edwin M. Lee, Mayor
Naomi M. Kelly, City Administrator



John Updike
Director of Real Estate

October 14, 2014

Certified Mail

Michael Mitchell
480 Alameda Ave.
Half Moon Bay, CA 94109

837 Malcom Road
Lease Renewal
6846

Subject: Renewal of Airport Lease at 837 Malcom Road, Burlingame

Dear Mr. Mitchell:

City is a Tenant under a Lease dated January 12, 2009 (the "Original Lease") as amended by the First Amendment to Lease dated October 10, 2010 (the "Lease Amendment") for the entire property consisting of approximately 6,000 sq. ft. (the "Premises") at 837 Malcom Rd., Burlingame, CA. The Original Lease, as amended by the First Amendment, is referred to herein as the "Lease". Capitalized terms in this letter have the meaning given such terms in the Lease unless otherwise defined herein.

The Lease expires April 30, 2015. The Lease provides an option to renew the term for three (3) years pursuant to the terms of Section 3.4, at a Base Rental adjusted by the cost of living pursuant to the terms of Section 4.4

This letter shall serve to exercise City's option to extend the term of the Lease pursuant to Section 3.4 of the Lease for an additional 3 year period through April 30, 2018

In accordance with California Civil Code Section 1938, Landlord hereby notifies City that the Building has not undergone inspection by a Certified Access Specialist.

If you have any questions regarding this matter contact Charlie Dunn at 554-9861.

NOTWITHSTANDING ANYTHING TO THE CONTRARY CONTAINED IN THIS LETTER, LANDLORD ACKNOWLEDGES AND AGREES THAT NO OFFICER OR EMPLOYEE OF CITY HAS AUTHORITY TO COMMIT CITY HERETO UNLESS AND UNTIL A RESOLUTION OF CITY'S AIRPORT COMMISSION HAS BEEN DULY ENACTED APPROVING THIS AMENDMENT AND AUTHORIZING CONSUMMATION OF THE MATTERS CONTEMPLATED HEREIN. THEREFORE, ANY OBLIGATIONS OR LIABILITIES OF CITY HEREUNDER ARE CONTINGENT UPON ENACTMENT OF SUCH A RESOLUTION, AND THIS AMENDMENT SHALL

BE NULL AND VOID UNLESS CITY'S AIRPORT COMMISSION APPROVE THIS AMENDMENT IN THEIR RESPECTIVE SOLE AND ABSOLUTE DISCRETION, AND IN ACCORDANCE WITH ALL APPLICABLE LAWS. APPROVAL OF THIS AMENDMENT BY ANY DEPARTMENT OR AGENCY OF CITY SHALL NOT BE DEEMED TO IMPLY THAT SUCH RESOLUTION WILL BE ENACTED NOR WILL ANY SUCH APPROVAL CREATE ANY BINDING OBLIGATIONS ON CITY.

Respectfully,

A handwritten signature in black ink, appearing to read "John Updike", with a long, sweeping flourish extending to the right.

John Updike
Director

cc: Gary Franzella, Airport
Diana Chow, Airport