

**FORSYTH COUNTY
BOARD OF COMMISSIONERS**

MEETING DATE: SEPTEMBER 26, 2019

AGENDA ITEM NUMBER: 18

SUBJECT: RESOLUTION AUTHORIZING EXECUTION OF A LEASE AMENDMENT BETWEEN FORSYTH COUNTY AND THE UNITED STATES OF AMERICA ON BEHALF OF ITS DEPARTMENT OF AGRICULTURE (USDA), FOR LEASE OF COUNTY OWNED PROPERTY

COUNTY MANAGER'S RECOMMENDATION OR COMMENTS: Recommend Approval

SUMMARY OF INFORMATION: See Attached

ATTACHMENTS: YES NO

SIGNATURE: *G. Dudley Watts, Jr. / AMG*
COUNTY MANAGER

DATE: September 20, 2019

**RESOLUTION AUTHORIZING EXECUTION OF A LEASE AMENDMENT
BETWEEN FORSYTH COUNTY AND THE UNITED STATES OF AMERICA ON
BEHALF OF ITS DEPARTMENT OF AGRICULTURE (USDA),
FOR LEASE OF COUNTY OWNED PROPERTY**

WHEREAS Forsyth County owns real property located at 1450 Fairchild Drive, Winston-Salem, N.C., in which it plans to lease 2,349 square feet of office space (Rooms 302, 3021, 304, 3041, and 3061) to the United States of America, on behalf of its Department of Agriculture, for a three-year term beginning August 1, 2019, and ending July 31, 2022, at an annual rental of \$20,530.26 payable in equal monthly installments of \$1,710.86;

WHEREAS the above-described property will not be needed by Forsyth County for County purposes during the term of the proposed amended lease;

WHEREAS N.C.G.S. 160A-274 authorizes any governmental unit to lease to any other governmental unit any interest in real property upon such terms and conditions it deems wise, with or without consideration upon action by the governing body of the governing unit; and

WHEREAS pursuant to the provisions of N.C.G.S. 160A-272, notice has been timely given by publication describing the property to be leased or rented, stating the annual rental or lease payments, and announcing the Board of County Commissioners' intent to authorize the lease or rental at its meeting on September 26, 2019;

NOW, THEREFORE, BE IT RESOLVED, by the Forsyth County Board of Commissioners that the Chairman or County Manager and the Clerk to the Board are hereby authorized to execute the above-described Lease Amendment, on behalf of Forsyth County, with the United States of America, on behalf of its Department of Agriculture, at an annual rental of \$20,530.26, with an effective date of August 1, 2019, subject to a pre-audit certificate thereon by the County Chief Financial Officer, if applicable, and approval as to form and legality by the County Attorney. The original Lease Amendment is attached hereto and incorporated herein by reference.

Adopted this 26th day of September 2019.

GENERAL SERVICES ADMINISTRATION PUBLIC BUILDINGS SERVICE LEASE AMENDMENT	LEASE AMENDMENT No. 4
	TO LEASE NO. <u>USDA Forsyth County Service Center</u>
ADDRESS OF PREMISES 1450 Fairchild Drive Winston-Salem, NC 27015-4560	PDN Number: N/A

THIS AMENDMENT is made and entered into between **Forsyth County**

whose address is: **201 N. Chestnut Street, Forsyth County Gov. Center, 4th Floor; Winston-Salem, NC 27101**

hereinafter called the Lessor, and the **UNITED STATES OF AMERICA**, hereinafter called the Government:

WHEREAS, the parties hereto desire to amend the above Lease to extend lease term.

NOW THEREFORE, these parties for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, covenant and agree that the said Lease is amended, effective upon execution by the Government as follows:

1. Effective upon execution by the Government, the lease period of the above described premises will be extended from **August 1st, 2019 through July 31st, 2022.**
2. The Government will pay the Lessor annual rent of **\$20,530.26** payable at the rate of **\$1,710.86** per month (representing **\$8.74** per square foot for **2,349** net useable square feet), in arrears.
3. The Lessor must have an active/updated registration in the System for Award Management (SAM) System (<https://www.sam.gov>) upon receipt of this lease Amendment. The Government will not process rent payments to Lessors without an active/updated SAM Registration.

This Lease Amendment contains 1 pages.

All other terms and conditions of the lease shall remain in force and effect.

IN WITNESS WHEREOF, the parties subscribed their names as of the below date.

FOR THE LESSOR:

FOR THE GOVERNMENT:

Signature: _____
Name: _____
Title: _____
Entity Name: _____
Date: _____

Signature: _____
Name: _____
Title: Lease Contracting Officer, USDA
Date: _____

WITNESSED FOR THE LESSOR BY:

Signature: _____
Name: _____
Title: _____
Date: _____

EXHIBIT 1



FIRST LEVEL FLOOR PLAN
AGRICULTURAL BUILDING

**PUBLIC NOTICE OF THE
FORSYTH COUNTY BOARD OF COMMISSIONERS'
INTENT TO AUTHORIZE A THREE-YEAR LEASE AMENDMENT
OF COUNTY OWNED PROPERTY LOCATED IN THE FORSYTH
COUNTY AGRICULTURE BUILDING AT
1450 FAIRCHILD DRIVE, WINSTON-SALEM, N.C.**

Notice is hereby given by publication, pursuant to the provisions of N.C.G.S. 160A-272 and other applicable statutory provisions, that the Forsyth County Board of Commissioners, at its regular meeting scheduled for Thursday, September 26, 2019, at 2:00 p.m. in the Commissioners' Meeting Room on the fifth floor of the Forsyth County Government Center, located at 201 N. Chestnut Street, Winston-Salem, N.C., intends to authorize the execution of a three-year lease amendment, beginning August 1, 2019, and ending July 31, 2022, of County owned property located in the Forsyth County Agriculture Building (Rooms 302, 3021, 304, 3041, and 3061), containing 2,349 square feet at 1450 Fairchild Drive, Winston-Salem, N.C., to the United States of America, on behalf of its United States Department of Agriculture (USDA), at an annual rental of \$20,530.26 payable in equal monthly installments and other valuable consideration as outlined in the Lease Agreement.

The property identified herein will not be needed by Forsyth County for County purposes during the term of the proposed lease, except as provided and reserved in the Lease Agreements.

This notice shall be published once at least thirty (30) days prior to the September 26, 2019, Board Meeting.

FORSYTH COUNTY

Ashleigh M. Sloop, Clerk to the Board