

June 8, 2022

WHEREAS, on May 27, 2020, by Resolution No. 20-0815, the City Council of the City of Dallas authorized the City Manager to execute a two-year ground lease agreement dated June 15, 2020, (the "Ground Lease") with Martha Morguloff and Danna Morguloff-Hayden, ("Landlord") as landlord, and the City of Dallas, a Texas municipal corporation ("City"), as tenant, for approximately 17,150 square feet of land, located at 5807 Royal Lane, being all of Lot 10, Block 1/5501 in the City of Dallas, Dallas County, Texas (the "Premises") to be used by Dallas Fire-Rescue Fire Station Number 41; and

WHEREAS, the Ground Lease expires by its own terms on July 31, 2022; and

WHEREAS, the parties desire to extend the Ground Lease term for an additional eighteen (18) month term ("Extension Term"), at an amended rental rate and amended terms.

Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the City Manager, upon approval as to form by the City Attorney, be and is hereby authorized to execute a First Amendment to Ground Lease Agreement between Martha Morguloff and Danna Morguloff-Hayden and the City of Dallas.

SECTION 2. That the special terms and conditions of the First Amendment to Ground Lease Agreement are:

(a) The term of the Lease is hereby extended for an additional for eighteen (18) months beginning August 1, 2022 and ending January 31, 2024 (the "Extension Term"), provided however, that City and Landlord retain the right to terminate the Lease as provided elsewhere therein.

(b) Monthly Rental Payments during the Extension Term shall be as follows: (subject to annual appropriations):

August 1, 2022 – January 31, 2024

\$1,500.00 per month

(c) Counterparts: Electronic Signatures. Landlord and City consent to the use of electronic signatures on this Amendment and all documents relating to the Lease and this Amendment, including, but not limited to, any amendments, written approvals, or Notices to any of the foregoing (collectively, the "Lease Documents"). Landlord and City agree that any electronic signatures appearing on the Lease Documents are the same as handwritten signatures for the purposes of validity, enforceability and admissibility, and that any electronically signed Lease Document shall, for all purposes of the Lease Documents and applicable law, be

SECTION 2. (continued)

deemed to be "written" or "in writing", to have been executed, and to constitute an original written record when printed, and shall be fully admissible in any legal proceeding. For purposes hereof, "electronic signature" shall include, DocuSign and AdobeSign, and have the meaning set forth in the Uniform Electronic Transactions Act, as the same may be amended from time to time.

- (d) All other terms of the Ground Lease, not expressly amended hereby shall remain in full force and effect.

SECTION 3. That the Chief Financial Officer be and is hereby authorized to draw warrants payable to Martha Morguloff and Danna Morguloff-Hayden, or their successors and assigns on the first day of each month in advance during the Extension Term beginning August 1, 2022 in the amount specified below:

August 1, 2022 – September 30, 2022: \$1,500.00 per month
(subject to annual appropriations)

October 1, 2022 – September 30, 2023: \$1,500.00 per month
(subject to annual appropriations)

October 1, 2023 – January 31, 2024: \$1,500.00 per month
(subject to annual appropriations)

SECTION 4. That the payments will be charged as follows:

August 1, 2022 – September 30, 2022: General Fund, Fund 0001, Department DFD, Unit ER00, Object 3330, Encumbrance/Contract No. CX-DFD-2022-00018560, Commodity 97145, Vendor VC21410, Amount \$1,500.00.

October 1, 2022 – September 30, 2023: General Fund, Fund 0001, Department DFD, Unit ER00, Object 3330, Encumbrance/Contract No. CX-DFD-2022-00018560, Commodity 97145, Vendor VC21410, Amount \$1,500.00.

October 1, 2023 – January 31, 2024: General Fund, Fund 0001, Department DFD, Unit ER00, Object 3330, Encumbrance/Contract No. CX-DFD-2022-00018560, Commodity 97145, Vendor VC21410, Amount \$1,500.00.

SECTION 5. That the Chief Financial Officer is hereby authorized to draw warrants payable to the respective telephone, communications, utility, security, janitorial, grounds maintenance companies upon receipt of a bill for such services or other applicable charges throughout the lease term.

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SECTION 6. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

APPROVED AS TO FORM:
CHRISTOPHER J. CASO, City Attorney

BY:


Assistant City Attorney