

RESOLUTION NO. 30389

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A SECOND AMENDMENT TO LEASE AGREEMENT WITH ERWIN MARINE RIVERFRONT, LLC, IN SUBSTANTIALLY THE FORM ATTACHED, TO EXTEND THE TERM FOR AN ADDITIONAL PERIOD OF THREE (3) MONTHS.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, TENNESSEE, that it is hereby authorizing the Mayor to enter into a Second Amendment to Lease Agreement with Erwin Marine Riverfront, LLC, in substantially the form attached, to extend the term for an additional period of three (3) months.

ADOPTED: June 9, 2020

/mem

LEASE AMENDMENT NO. 2

This Lease Amendment No. 2 to the Lease Agreement by and between the City of Chattanooga (the "City") and Erwin Marine Riverfront, LLC ("Erwin Marine") (the "Agreement") is made effective April 30, 2020.

RECITALS

WHEREAS, the City and Marinemax East, Inc. ("Marinemax") entered into the Agreement dated December 20, 2010, with a term beginning on May 1, 2010 and ending on April 30, 2015, defining the roles and responsibilities of the parties; and

WHEREAS, the City and Marinemax entered into Lease Amendment No. 1 by extending the term from May 1, 2015 through April 30, 2020 (the "Renewal Term") and amending certain terms of the Agreement as provided therein; and

WHEREAS, Marinemax assigned the Agreement to Erwin Marine on August 27, 2015; and

WHEREAS, the City and Erwin Marine desire to amend the Agreement as provided herein.

AMENDMENT

1. Paragraph 3 of the Agreement is hereby amended to extend the Renewal Term beginning on May 1, 2015 and ending on April 30, 2020, pursuant to Lease Amendment No. 1 for an additional three (3) months. The Renewal Term shall expire on July 31, 2020.
2. No other modifications, amendments or changes of the provisions of the Agreement or Lease Amendment No. 1 are to be affected by this Amendment 2.

IN WITNESS WHEREOF, the parties have executed this Amendment 2 to the Agreement on the _____ day of _____, 2020, at Chattanooga, Hamilton County, Tennessee.

[SIGNATURES ON THE FOLLOWING PAGE]

[

CITY OF CHATTANOOGA

ERWIN MARINE RIVERFRONT, LLC

By: _____
ANDY BERKE, Mayor

By: _____

Printed Name: _____

Title: _____