



## Legislation Details (With Text)

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**Type:** Agenda Item      **Status:** Approved

**File created:** 9/17/2009      **In control:** Board Of Supervisors

**On agenda:** 9/29/2009      **Final action:** 9/29/2009

**Title:** Transportation Department recommending Chairman be authorized to sign Subordination, Acknowledgement of Lease Assignment, Non-Disturbance and Attornment Agreement, related to Lease No. 309-L0811, with Durock Properties LLC.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. A - VicinityMapDurockRdLLC, 2. B -BlueRouteDurockRdLLC, 3. C -SubordinationDurockRdLLC, 4. D -Lease#309-L0811

Date	Ver.	Action By	Action	Result
9/29/2009	1	Board Of Supervisors	Approved	Pass

Transportation Department recommending Chairman be authorized to sign Subordination, Acknowledgement of Lease Assignment, Non-Disturbance and Attornment Agreement, related to Lease No. 309-L0811, with Durock Properties LLC.

### Background:

The County entered into Lease #309-L0811 with Durock Properties LLC dated 10/22/07, and executed by the Board of Surpervisors on 11/6/07, for approximately 10,346 square feet of space located at 3974 Durock Road, Shingle Springs, CA. Susequent to entering into the initial Lease, an Amendment I to Lease #309-L0811, dated 3/11/08 was executed by the Board of Supervisors on 3/25/08. The Amendment changed the name on the Lease to Durock Road LLC, as well as the mailing address of the owner for the Payment and Notices sections of the Lease.

### Reason for Recommendation:

The Owner is currently obtaining new financing on the property, and Mechanics Bank has requested that the County approve and execute a Subordination, Acknowledgement of Lease Agreement, Non-Disturbance and Attornment Agreement (Agreement). This Agreement has been reviewed by County DOT staff and County Counsel's Office, and there is no objection to the execution of said Agreement.

### Action to be taken following Board approval:

- 1) Chairman of the Board of Supervisors to sign the Agreement in the presence of a Notary Public.
- 2) Clerk of the Board to return the original Agreement to DOT Property Services staff.

### District/Supervisor:

Jack Sweeney, District 3

### Contact:

James W. Ware, P.E.,  
Director of Transportation

Concurrences: County Counsel