

RESOLUTION NO. 30908

A RESOLUTION AUTHORIZING THE MAYOR OR HIS DESIGNEE TO ENTER INTO AMENDMENT NO. 1 TO LEASE AND A SECOND AGREEMENT TO EXERCISE OPTION TO RENEW WITH FORGOTTEN CHILD FUND, INC., IN SUBSTANTIALLY THE FORMS ATTACHED, FOR LEASE OF OFFICE SPACE AT 1715 E. MAIN STREET, IDENTIFIED AS TAX PARCEL NO. 156B-D-011, FOR THE CONSIDERATION OF ONE DOLLAR (\$1.00) FOR THE ADDITIONAL TERM OF THREE (3) MONTHS THROUGH JANUARY 31, 2022.

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BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, TENNESSEE, That it is hereby authorizing the Mayor or his designee to enter into Amendment No. 1 to Lease and a Second Agreement to Exercise Option to Renew with Forgotten Child Fund, Inc., in substantially the forms attached, for lease of office space at 1715 E. Main Street, identified as Tax Parcel No. 156B-D-011, for the consideration of \$1.00 for the additional term of three (3) months through January 31, 2022.

ADOPTED: October 12, 2021

**AMENDMENT NO. 1 TO LEASE**

This Amendment No. 1 to Lease by and between the City of Chattanooga (“Lessor”) and Forgotten Child Fund, Inc. (“Lessee”) (the “Agreement”) is made effective October 30, 2021.

RECITALS

WHEREAS, Lessor and Lessee entered into the Agreement dated November 1, 2018, with an initial term beginning November 1, 2018 and ending on October 31, 2019, defining the roles and responsibilities of the parties; and

WHEREAS, Lessor and Lessee entered into an Agreement to Exercise Option to Renew with a term beginning on November 1, 2019 and ending on October 31, 2021; and

WHEREAS, Lessor and Lessee desire to amend the Agreement as follows:

AMENDMENT

1. Section 3 of the Agreement is hereby deleted in its entirety and replaced with the following:

The term of this Lease shall commence upon execution by the parties (the “Effective Date”), shall be for an initial period of one (1) year (the “Initial Term”), and shall not renew automatically, but may be renewed upon mutual agreement of the parties for two (2) additional one (one) year periods and one (1) additional three (3) month period (each, a “Renewal Term”). Either party may terminate this Lease at any time without cause by giving the other party with notice of its intent to terminate, and such notice shall be received at least thirty (30) days prior to the termination date.

2. The Agreement is further amended by deleting all references to Lessee’s address as 3000 Alton Park Boulevard, Chattanooga, Tennessee 37410 and replacing this address with P. O. Box 5932, Chattanooga, Tennessee 37406.
3. No other modifications, amendments or changes of the provisions of the Agreement as extended are to be affected by this Amendment No 1 to Lease.

IN WITNESS WHEREOF, the parties have executed this Amendment 1 to Lease on the \_\_\_\_\_ day of \_\_\_\_\_, 2021, at Chattanooga, Hamilton County, Tennessee.

[SIGNATURES ON THE FOLLOWING PAGE]

CITY OF CHATTANOOGA

FORGOTTEN CHILD FUND, INC.

By: \_\_\_\_\_

Jermaine E. Freeman  
*Senior Advisor for Economic Opportunity*

By: \_\_\_\_\_

Arles K. Simmons, *President*

## **SECOND AGREEMENT TO EXERCISE OPTION TO RENEW**

Agreement Title: Lease Agreement

Effective Date: November 1, 2018

Initial Expiration Date: October 31, 2019

Number of Previously Exercised Options: Two (Both in the First Agreement to Exercise Option to Renew)

Tax Map Number: 156B-D-011

Property Address: 1715 E. Main Street

Lessor: City of Chattanooga, Tennessee

Lessee: Forgotten Child Fund, Inc.

Initial Term: One year

Term Renewal Options: Two (2) additional terms of one (1) year each,  
And one (1) additional term of three (3) months

Term Renewal Expiration: January 31, 2022

By written mutual agreement of the above named Lessor and Lessee, the option to extend the original term of the Agreement is exercised for one (1) additional term of three (3) months. With the option to extend the term being exercised, the original Agreement of November 1, 2018, is hereby extended for three (3) months to the date of January 31, 2022. There remain zero (0) options to extend the terms of the original Agreement of November 1, 2018. All terms and conditions of the original Agreement of November 1, 2018, and any subsequent Amendments shall remain in full force and effect.

Agreed upon this the \_\_\_\_ day of \_\_\_\_\_, 2021.

**LESSEE: FORGOTTEN CHILD FUND**

**LESSEE: CITY OF CHATTANOOGA**

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Arles K. Simmons, *President*

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Jermaine E. Freeman  
*Senior Advisor for Economic Opportunity*