



OFFICE OF COUNTY COUNSEL

PUBLIC SERVICES BUILDING

2051 KAEN ROAD OREGON CITY, OR 97045

June 16, 2016

Board of County Commissioners
Clackamas County

Members of the Board:

Approval of Lease Amendment No. 2 Between Clackamas County
and OSU Extension in Clackamas County

Stephen L. Madkour
County Counsel

Kathleen Rastetter
Chris Storey
Scott C. Ciecko
Alexander Gordon
Amanda Keller
Nathan K. Boderman
Christina Thacker
Shawn Lillegren
Jeffrey D. Munns
Assistants

Purpose/Outcomes	Allows for use of leased land for the "Farmer to Farm" program
Dollar Amount and Fiscal Impact	None
Funding Source	None
Duration	Term of Lease
Previous Board Action	Discussion of item in policy issues
Strategic Plan Alignment	1. Grow a Vibrant Economy: this extension program is aimed at supporting the development of agricultural business and products
Contact Person	Chris Storey, Assistant County Counsel

BACKGROUND:

Clackamas County leased land to Oregon State University through its Clackamas County Extension Service ("Extension") pursuant to a lease (the "Lease") entered into on December 20th, 2012 for certain property in the unincorporated area near the City of Wilsonville ("Property"). This Lease was previously amended in 2014 to allow for the installation of solar panels on the Property. The As part of Extension's use of the Property, they have received permission for a pilot project called "Farmer to Farm" which allows Clackamas County farmers to grow crops on the Property. Sale of the raised crops is used in part to support Extension programs on the Property. This amendment would allow for the implementation of the Farmers to Farm program for the remainder of the lease term. The proposed amendment has already been executed by Extension.

RECOMMENDATION:

Staff respectfully recommends that the Board approve the proposed amendment.

Respectfully submitted,

Chris Storey
Assistant County Counsel

AMENDMENT NO. 2

TO

LEASE AGREEMENT

This Amendment No. 2 to Lease Agreement (this "Amendment") is entered by and between Clackamas County ("Lessor") and Oregon State University for its North Willamette Research and Extension Center ("Lessee"), pursuant to the authority granted in Oregon Revised Statutes Chapter 190.

WHEREAS, Lessor and Lessee entered into that certain Intergovernmental Lease Agreement dated December 20th, 2012 as amended January 9th, 2014 (together, the "Lease") dealing with certain real property near the City of Wilsonville as more fully described in the Lease (the "Property") for the purpose of agricultural research; and

WHEREAS, Lessor and Lessee desire to amend the Lease to clarify the subleasing of a portion of the Property to private farmers;

NOW, THEREFORE, for good and valuable consideration, the receipt of which is acknowledged, the parties hereto agree that:

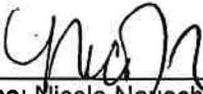
1. Lease paragraph 16 is amended to add the following language:

"Notwithstanding the foregoing, Lessor consents to Lessee subleasing up to fifty percent (50%) of the Property from the date of last signature below through December 31, 2021 to farmers as part of the Lessee's "Farmer to Farm" program. Lessee will not be obligated to pay cash rent for the above-stated subleases allowed per this consent."

2. Except as set forth herein, the Lease is ratified and no other changes have been or are made.

[Signature Page Follows]

Oregon State University for its North
Willamette Research
and Extension Center

By: 
Name: Nicole Neuschwander

Title: Director, OSU Real Estate

Date: 5/19/12

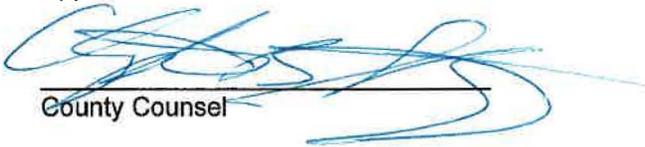
CLACKAMAS COUNTY, by its
Board of County Commissioners

By: _____
Chair

Date: _____

Attest: _____

Approved as to Form:


County Counsel