

FIRST AMENDMENT TO LEASE AGREEMENT

THIS FIRST AMENDMENT TO LEASE AGREEMENT (Amendment) made and entered into as of this _____ day of _____ 2025 (Effective Date), amends the Lease Agreement (Agreement) between the CITY OF FRESNO, a California municipal corporation (Landlord), and Fresno Arts Council, a California non-profit corporation (Tenant), entered into and effective on January 1, 2024.

RECITALS

WHEREAS, Landlord owns the building commonly known as 1245 Van Ness Avenue, a storefront in City of Fresno Garage Structure Number 9, in Fresno, California; and

WHEREAS, Landlord also owns the building commonly known as 1249 Van Ness Avenue, a storefront in City of Fresno Garage Structure Number 9, in Fresno, California; and

WHEREAS, Tenant is currently in a thirty-six (36) month tenancy, for 2,155 gross square feet at 1245 Van Ness Avenue; and

WHEREAS, the Agreement incorrectly states that the maturity date is January 31, 2027.

WHEREAS, the Landlord and Tenant desire to amend the Agreement to provide for a maturity date of December 31, 2026, which is thirty-six (36) months after the effective date.

WHEREAS, the Landlord and Tenant desire to amend the Agreement to expand the Leased Premises to include the neighboring/adjacent space at 1249 Van Ness, containing approximately 2,155 gross square feet and include the license to use two (2) additional parking stalls; and

WHEREAS, the existing Agreement between the Landlord and Tenant shall be amended to include the properties located at 1) 1245 Van Ness Avenue (approximately 2,155 square feet), 2) 1249 Van Ness Avenue (approximately 2,155 square feet);

AGREEMENT

NOW, THEREFORE, in consideration of the above recitals, which recitals are contractual in nature, the mutual promises herein contained, and for other good and valuable consideration hereby acknowledged, the parties agree that the aforesaid Agreement be amended as follows:

1. The recitals to this Amendment are incorporated herein and made a part of this Amendment.

2. Section 2 of the Agreement shall be deleted and replaced with the following:
“The term of this lease is thirty-six (36) months, beginning on January 1, 2024, and ending on December 31, 2026.”

3. The Agreement is amended to expand the current Leased Premises at 1245 Van Ness Avenue to include the neighboring/adjacent space at 1249 Van Ness, each space being approximately 2,155 square feet, for a total combined square footage of 4,310 square feet and include the license to use two (2) additional parking stalls, for a total of four (4) parking stalls, for an additional \$1 per year.

4. In the event of any conflict between the body of this Amendment and any exhibit or attachment hereto, the terms and conditions of the body of this Amendment shall control and take precedence over the terms and conditions expressed within the exhibit or attachment. Furthermore, any terms or conditions contained within any exhibit or attachment hereto which purport to modify the allocation of risk between the Parties, provided for within the body of this Amendment, shall be null and void.

5. Except as otherwise provided herein, the Lease Agreement entered into and effective by the Landlord and the Tenant on January 1, 2024, remains in full force and effect.

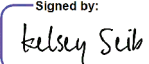
[Signatures follow on the next page.]

IN WITNESS WHEREOF, the Parties have executed this Amendment at Fresno, California, the day and year first above written.

CITY OF FRESNO, a California municipal corporation

By: _____
Georgeanne A. White
City Manager

APPROVED AS TO FORM:
ANDREW JANZ
City Attorney

By:  _____ 6/11/2025
Kelsey A. Seib
Deputy City Attorney

ATTEST:
TODD STERMER, MMC
City Clerk

By: _____
Deputy

FRESNO ARTS COUNCIL,
a California Non-Profit Corporation

By:  _____ 6/10/2025

Name: Lilia Gonzales Chavez

Title: Executive Director
(If corporation or LLC., Board Chair,
Pres. or Vice Pres.)

By:  _____ 6/10/2025

Name: Harpreet Gill

Title: Treasurer
(If corporation or LLC., CFO., Treasurer,
Secretary or Assistant Secretary)

Exhibit A: Lease Agreement Effective January 1, 2024