

RECORDING REQUESTED BY
AND WHEN RECORDED MAIL TO:

County of Lake
255 N. Forbes Street
Lakeport, CA. 95453

No fee for recording pursuant to
Government Code Section 27383 and 27388.1

THIS SPACE FOR RECORDERS USE ONLY

**AGREEMENT TO TERMINATE AND RELEASE MUNICIPAL LEASE WITH OPTION
TO PURCHASE AGREEMENT NO. 1995-1 (INSTRUMENT NO. 95-017576 OF
OFFICIAL RECORDS) AND SITE LEASE (INSTRUMENT NO. 95-017577 OF
OFFICIAL RECORDS
(15837 18th Avenue, Clearlake, CA)**

This Agreement to terminate and release the Municipal Lease with Option to Purchase Agreement No. 1995-1 and Site Lease (the "Release") is made effective as of _____, 2023, by and between the County of Lake, a political subdivision of the State of California (the "County") and MPA Leasing Corporation, Inc. ("MPA") with respect to that certain real property located in the incorporated City of Clearlake, California, as more particularly described in *Exhibit A* attached hereto (the "Property").

WHEREAS, the County and MPA have previously entered into that certain Municipal Lease with Option to Purchase Agreement No. 1995-1 ("Lease Agreement"), dated as of October 24, 1995, which was recorded in the Lake County Assessor-Recorder's Office on October 26, 1995, as Document No. 95-017576, pursuant to which MPA, as lessor, leased to the County, as lessee, certain parcels of real property (the "Property"), as more particularly described in Exhibit A hereto; and.

WHEREAS, the County and MPA have previously entered into that certain Site Lease ("Site Lease"), dated as of October 24, 1995, which was recorded in the Lake County Assessor-Recorder's Office on October 26, 1995, as document No. 95-017577, pursuant to which the County, as site lessor, leased to the Corporation, as lessee, of the Property.

NOW THEREFORE, in consideration of the above premises and of the mutual promise and covenants herein contained and for other valuable consideration, the parties hereto do hereby agree as follows:

County and MPA hereby mutually acknowledge and agree that the Site Lease and Lease Agreement have terminated, are no longer applicable to the Property, and are hereby released from the Property as recorded documents and as encumbrances against the Property. Neither party hereto has any further rights and/or obligations to the other under said agreements.

This Release may be executed in counterparts and multiple originals, each of which is deemed to

IN WITNESS WHEREOF, the parties have executed this Termination Agreement by their duly authorized officers as of the day and year first written above.

CHAIR, LAKE COUNTY BOARD OF SUPERVISORS

By: _____

By: [Signature]
County Counsel

STATE OF CALIFORNIA)
)
COUNTY OF _____)

I certify UNDER PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

Name: _____
Notary Public

EXHIBIT A

LEGAL DESCRIPTION OF PROPERTY

EXHIBIT 'A'
LEGAL DESCRIPTION

Lying within the City of Clearlake, County of Lake, State of California and being a portion of the parcel of land described in the deed to the County of Lake, recorded November 9, 1956 in Book 270 at Page 134, Official Records of Lake County, more particularly described as follows:

COMMENCING at the northeast corner of Parcel 1 as shown on the Parcel Map recorded September 15, 1987 in Book 29 of Parcel Maps at Pages 35 & 36, Lake County Records, said northeast corner also being the southwest corner of the parcel of land described in the deed to the Konocti Unified School District, recorded September 26, 1966 in Book 504 at Page 472, Official Records of Lake County; thence along the westerly line of said Konocti Unified School District Parcel, North 1°39'14" East 825.35 feet to the northwesterly corner thereof and the POINT OF BEGINNING; thence North 1°39'14" East 50.00 feet to a point on the general easterly line of the parcel of land described in the deed to Adventist Health Clearlake Hospital, Inc., recorded July 15, 2019 as document number 2019-008429 in the Office of the Lake County Recorder; thence continuing along said general easterly line, North 1°39'14" East (shown as North 1°39'52" East in said deed to Adventist Health Clearlake Hospital Inc.) 490.09 feet to the northeasterly corner thereof; thence along the northerly line of said lands of the County of Lake, South 89°39'03" East 1320.95 feet to the northeasterly corner thereof; thence along the easterly line thereof, South 1°35'04" West 535.31 feet to the northeasterly corner of said lands of the Konocti Unified School District; thence along the northerly line of said lands of the Konocti Unified School District, North 89°51'28" West 1321.72 feet to the POINT OF BEGINNING.

Containing 16.31 acres, more or less.

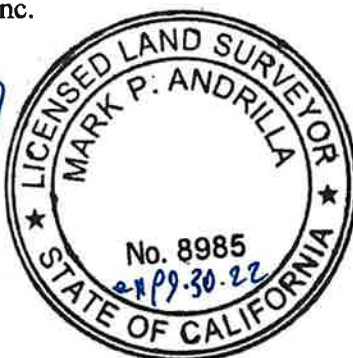
BASIS OF BEARINGS

Being North 89°52'18" West between a found 5/8" rebar and a found 1-1/2" iron pipe marking the east 1/4 corner of Section 34 as shown on the Record of Survey filed in Book 100 of Surveys at Page 13, Lake County Records.

APN 010-043-01

Prepared by Cinquini & Passarino, Inc.


Mark P. Andrilla, P.L.S. 8985



11.17.21
Date

1804 Soscol Avenue, Suite 202, Napa, CA 94559
Tel: (707) 690-9025 Fax: (707) 542-2106
www.cinquinipassarino.com
CPI No.: 8632-19

EXHIBIT 'B'

THIS DIAGRAM IS FOR GRAPHIC PURPOSES ONLY. ANY
ERRORS OR OMISSIONS SHALL NOT AFFECT THE LEGAL
DESCRIPTION.

18TH AVENUE

S89°39'03"E 1320.95'

LANDS OF
ADVENTIST HEALTH
CLEARLAKE HOSPITAL INC.
2019-008429 O.R.

LANDS OF
COUNTY OF LAKE
PTN 270 O.R. 134
16.31± AC

91 RS 45

490.09'

50.00'

POINT OF
BEGINNING

N89°51'28"W 1321.72'

IRVING AVENUE

S1°35'04"W 535.31'

2 RS 78

100
RS
13

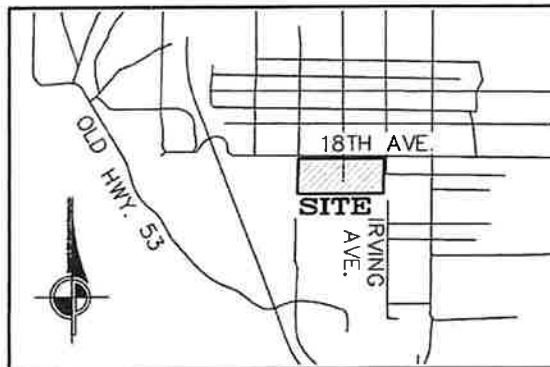
825.35'
N1°39'14"E 1365.44'

LANDS OF
KONOCTI UNIFIED
SCHOOL DISTRICT
PTN 504 O.R. 472

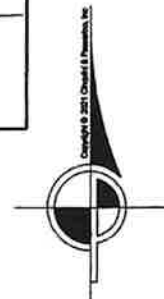
8 RS 32

POINT OF
COMMENCEMENT

29
PM
35
36



SITE MAP - NOT TO SCALE



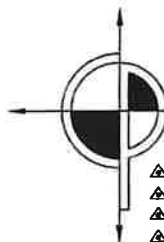
GRAPHIC SCALE



1 inch = 200 ft.

LEGEND

--- SUBJECT PROPERTY BOUNDARY
--- ADJACENT PROPERTY BOUNDARY



CINQUINI & PASSARINO, INC.
LAND SURVEYING

▲ BOUNDARY 1804 Soscol Avenue, STE 202
▲ TOPOGRAPHIC Napa, CA. 94559
▲ CONSTRUCTION Phone: (707) 690-9025
▲ SUBDIVISIONS Fax: (707) 542-2106
WWW.CINQUINIPASSARINO.COM

JOB NAME: LANDS OF COUNTY OF LAKE	DRAWN BY: MPA	CHECKED BY: MPA
DESCRIPTION: PARCEL FOUR (RECTANGLE)	SCALE: 1"=100'	DATE: 11-15-21
	JOB #: 8632-19	PAGE: 2 OF 2

Memorandum

Date: February 7, 2023

To: The Honorable Jessica Pyska, Chair, Lake County Board of Supervisors

From: Susan Parker, County Administrative Officer

Subject: Approve Agreement to Terminate and Release Municipal Lease with Option to Purchase Agreement No. 1995-1 (Instrument No. 95-017576 of Official Records) and Site Lease (Instrument No. 95-017577 of Official Records)

Executive Summary: On October 26, 2021, your Board executed a Property Exchange Agreement with the State of California involving a land swap with the State owned Lakeport Armory located at 1431 Hoyt Avenue and the County owned vacant property located at 15837 18th Avenue, Clearlake, CA.

In preparing for the development of the vacant land, the State of California, Department of General Services discovered a Municipal Lease with Option to Purchase Agreement No. 1995-1 and Site Lease listed as exceptions on the Preliminary Report.

The State of California, Department of General Services has requested a Termination Agreement for the instruments listed above to remove these exceptions. The County and MPA Leasing Corporation, Inc. mutually acknowledge and agree that the Site Lease and Agreement have terminated and are no longer applicable to the property located at 15837 18th Avenue, Clearlake, CA.

If not budgeted, fill in the blanks below only:

Estimated Cost: Amount Budgeted: Additional Requested: _____ Future Annual Cost: _____

Consistency with Vision 2028 (check all that apply):

☐ Not applicable

- | | | |
|---|--|--|
| <input checked="" type="checkbox"/> Well-being of Residents | <input type="checkbox"/> Public Safety | <input type="checkbox"/> Disaster Preparedness, Prevention, Recovery |
| <input type="checkbox"/> Economic Development | <input type="checkbox"/> Infrastructure | <input type="checkbox"/> County Workforce |
| <input checked="" type="checkbox"/> Community Collaboration | <input type="checkbox"/> Business Process Efficiency | <input checked="" type="checkbox"/> Clear Lake |

If request for exemption from competitive bid in accordance with County Code Chapter 2 Sec. 2-38, fill in blanks below:

Which exemption is being requested?
How long has Agreement been in place?
When was purchase last rebid?
Reason for request to waive bid?

Recommended Action: Approve Agreement to Terminate and Release Municipal Lease with Option to Purchase Agreement No. 1995-1 (Instrument No. 95-017576 of Official Records) and Site Lease (Instrument No. 95-017577 of Official Records).

