

RESOLUTION NO. 30857

A RESOLUTION AUTHORIZING THE MAYOR OR HIS DESIGNEE TO ENTER INTO AMENDMENT NO. 1 AND A THIRD AGREEMENT TO EXERCISE OPTION TO RENEW WITH FRIENDS OF THE ZOO, INC., IN SUBSTANTIALLY THE FORMS ATTACHED, TO EXTEND THE TERM FOR AN ADDITIONAL PERIOD OF SIX (6) MONTHS TO THE DATE OF MARCH 17, 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 and a Third Agreement to Exercise Option to Renew with Friends of the Zoo, Inc., in substantially the forms attached, to extend the term for an additional period of six (6) months to the date of March 17, 2022.

ADOPTED: August 10, 2021

/mem

**AMENDMENT NO. 1**

This Amendment No. 1 to the Lease Agreement by and between the City of Chattanooga (the “City”) and Friends of the Zoo, Inc. (“FOZ”) (the “Agreement”) is made effective September 16, 2021.

**RECITALS**

WHEREAS, the City and FOZ entered into the Agreement dated September 17, 2010, with an initial term beginning on September 17, 2010 and ending on September 17, 2015, defining the roles and responsibilities of the parties; and

WHEREAS, the City and FOZ entered into an Agreement to Exercise Option to Renew with a term beginning on September 17, 2015 and ending on September 17, 2018; and

WHEREAS, the City and FOZ entered into an Agreement to Exercise Option to Renew with a term beginning on September 17, 2018 and ending on September 17, 2021; and

WHEREAS, the City and FOZ desire to amend the Agreement as provided herein.

**AMENDMENT**

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

“Extended Terms. The extended terms of this Agreement shall be for two (2) additional three (3) year periods and one (1) additional six (6) month period commencing at the end of the initial term, in which the Parties shall have the option to accept the extended terms or terminate the Agreement following the initial term.”

2. No other modifications, amendments or changes of the provisions of the Agreement or Lease Amendment No. 1 are to be affected by this Amendment 1.

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

[SIGNATURES ON THE FOLLOWING PAGE]

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CITY OF CHATTANOOGA

FRIENDS OF THE ZOO, INC.

By: \_\_\_\_\_  
JERMAINE E. FREMAN  
*Senior Advisor for Economic Opportunity*

By: \_\_\_\_\_  
Printed Name: \_\_\_\_\_  
Printed Title: \_\_\_\_\_

**THIRD AGREEMENT TO EXERCISE OPTION TO RENEW**

Agreement Title: Lease Agreement between City of Chattanooga and Friends of the Zoo, Inc.

Effective Date: September 17, 2010

Initial Expiration Date: September 17, 2015

Number of Previously Exercised Options: Two

Tax Map Number: Portion of 146G-A-001

Property Address: 301 N. Holtzclaw Avenue, Chattanooga, TN 37402

Lessor: City of Chattanooga

Lessee: Friends of the Zoo, Inc.

Initial Term: Five (5) Years

Term Renewal Option: Six (6) months

Term Renewal Expiration: March 17, 2022

By written mutual agreement of the above named Lessor and Lessee, the option to extend the original term of the Agreement is exercised. With the option to extend the term being exercised, the original Agreement of September 17, 2010 is hereby extended for six (6) months to the date of March 17, 2022. There remain zero (0) options to extend the terms of the original Agreement of September 17, 2010. All terms and conditions of the original Agreement of September 17, 2010 and any subsequent Amendments shall remain in full force and effect.

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

LESSEE: Friends of the Zoo, Inc.

LESSOR: City of Chattanooga

BY: \_\_\_\_\_

\_\_\_\_\_  
JERMAINE E. FREEMAN

Printed Name: \_\_\_\_\_

*Senior Advisor for Economic Opportunity*

Printed Title: \_\_\_\_\_