

RESOLUTION NO. 30897

A RESOLUTION AUTHORIZING THE MAYOR OR HIS DESIGNEE TO ENTER INTO AMENDMENT NO. 1 AND A THIRD AGREEMENT TO EXERCISE OPTION TO RENEW WITH BRIAN COTTER, IN SUBSTANTIALLY THE FORMS ATTACHED, FOR LEASE OF A HOUSE LOCATED AT 324 BASS ROAD ON TAX PARCEL NO. 158I-C-021.01, AND FURTHER IDENTIFIED AS THE BROWN ACRES RENTAL HOUSE, IN CONSIDERATION OF EIGHT HUNDRED DOLLARS (\$800.00) PER MONTH, AND PROVIDING SECURITY SERVICES AT BROWN ACRES AND BRAINERD GOLF COURSES, FOR AN 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 and a Third Agreement to Exercise Option to Renew with Brian Cotter, in substantially the forms attached, for lease of a house located at 324 Bass Road on Tax Parcel No. 158I-C-021.01, and further identified as the Brown Acres rental house, in consideration of \$800.00 per month, and providing security services at Brown Acres and Brainerd Golf Courses, for an additional term of three (3) months, through January 31, 2022.

ADOPTED: September 28, 2021

/mem

**AMENDMENT NO. 1**

This Amendment No. 1 to the Lease Agreement by and between the City of Chattanooga (“Lessor”) and Brian M. Cotter (“Lessee”) (the “Agreement”) is made effective October 31, 2021.

RECITALS

WHEREAS, Lessor and Lessee entered into the Agreement dated October 20, 2017 with an initial term beginning on November 1, 2017 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, 2020; and

WHEREAS, Lessor and Lessee entered into an Agreement to Exercise Option to Renew with a term beginning on November 1, 2020 and ending on October 31, 2021; and

WHEREAS, the parties desire to amend the Agreement as provided herein.

AMENDMENT

1. Section 3 of the Agreement is hereby amended by deleting the first sentence therein and replacing it with the following:

“The Term of this Lease shall commence on November 1, 2017 (the “Commencement Date”), shall be for a period of two (2) years, and shall not renew automatically, but may be renewed for two additional one(1) year periods and one (1) additional ninety day (90) period upon mutual agreement of the parties.”

2. No other modifications, amendments or changes of the provisions of the Agreement 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]

CITY OF CHATTANOOGA

LESSEE

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

JERMAINE E. FREEMAN  
*Senior Advisor for Economic Opportunity*

\_\_\_\_\_  
BRIAN M. COTTER

**THIRD AGREEMENT TO EXERCISE OPTION TO RENEW**

Agreement Title: LEASE AGREEMENT

Effective Date: November 1, 2017

Initial Expiration Date: October 31, 2019

Number of Previously Exercised Options: Two

Tax Map Number: 158I-C-021.01

Property Address: 324 Bass Road, Chattanooga, TN 37421-3904

Lessor: City of Chattanooga

Lessee: Brian M. Cotter

Initial Term: Two years

Term Renewal Option: Three 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. With the option to extend the term being exercised, the original Agreement of November 1, 2017, is hereby extended for three months to the date of January 31, 2022. There remain no options to extend the terms of the original Agreement of November 1, 2017. All terms and conditions of the original Agreement of November 1, 2017, and any subsequent Amendments shall remain in full force and effect.

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

**LESSEE**  
BRIAN M. COTTER

**LESSOR**  
CITY OF CHATTANOOGA

\_\_\_\_\_  
BRIAN M. COTTER

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JERMAINE E. FREEMAN  
*Senior Advisor for Economic Opportunity*