## SECOND AMENDMENT TO FARM LEASE AGREEMENT

This Second Amendment to Farm Lease Agreement ("Second Amendment"), is made this 20th day of FEBRUARY, 2007, between **MONTGOMERY COUNTY, MARYLAND**, a body corporate and politic and a political subdivision of the State of Maryland, (hereinafter designated as the "LANDLORD") and **David O. Scott**, with a principal mailing address at 20400 Darnestown Road, Dickerson, Maryland 20842 (hereinafter designated as the "TENANT") (LANDLORD and TENANT, together, the "PARTIES").

**WHEREAS,** the LANDLORD and TENANT entered into a Farm Lease Agreement dated April 15, 1999 (the "Lease"); and

**WHEREAS**, the LANDLORD and TENANT entered into an Amendment to Farm Lease Agreement (the "Amendment") dated February 23, 2005; and

**WHEREAS,** the Parties desire to further amend the Lease to increase the acreage used for farming purposes, restate the rental amounts, and change the mailing address for rental payments.

**NOW THEREFORE**, in consideration of the premises and intending to be legally bound hereby, the Parties hereto agree to the following changes and modifications to the Lease.

1. Section 1(a) of the Lease is hereby amended by adding the following paragraph at the end of the section:

Approximately seven and one-half (7 ½) acres of land (the "Additional Acreage") located in Dickerson, Maryland. It is part of the land formerly known as the Draper property located east of Martinsburg Road. The Draper property is shown as Parcel 330 on Tax Map BU attached hereto as Exhibit A-1. The Draper property is also shown as parcel 160300036721 on the aerial photograph attached hereto as Exhibit A-2. The Additional Acreage consists of two (2) farm fields on the east side of a stream which bisects the Draper property as shown on Exhibit A-2. The first field contains approximately 2.93 acres of land and the second field contains approximately 4.64 acres of land (hereafter, the Additional Acreage shall also be known as "Property 4").

2. Section 1(c) of the Lease is hereby deleted and the new Section 1(c) is substituted:

In consideration of Landlord's agreement to rent the Property to Tenant and the terms and conditions of this Lease, Tenant agrees to pay on December 20 of each year the annual rent specified in the following schedule to: Montgomery County Government, Office of Real Estate, P.O. Box 75549, Baltimore, Maryland 21275-5549. The annual rental payments are based upon $45.00 per acre of land useable for agricultural purposes. The annual rent for each year of the Term shall be as follows:

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| YEAR | RENTAL PAYMENT |
| --- | --- |
| 2007 | $ 11,587.50 |
| 2008 | $ 11,587.50 |
| 2009 | $ 11,587.50 |

3. Except as modified herein, all other terms and conditions of the Lease and the Amendment will remain in full force and effect.

**SIGNATURE PAGE TO FOLLOW**

**IN WITNESS WHEREOF,** the Parties hereto have set their hands and affixed their respective seals the day and year above written.

LANDLORD:
MONTGOMERY COUNTY, MARYLAND

Witness

By: _____
Name: _____
Title: Assistant Chief Administrative Officer

Date: 2/20/07

TENANT:
DAVID O. SCOTT

Witness

By: _____

Date: 2/10/07

APPROVED AS TO FORM AND LEGALITY OFFICE OF THE COUNTY ATTORNEY

Date: 2/7/2007

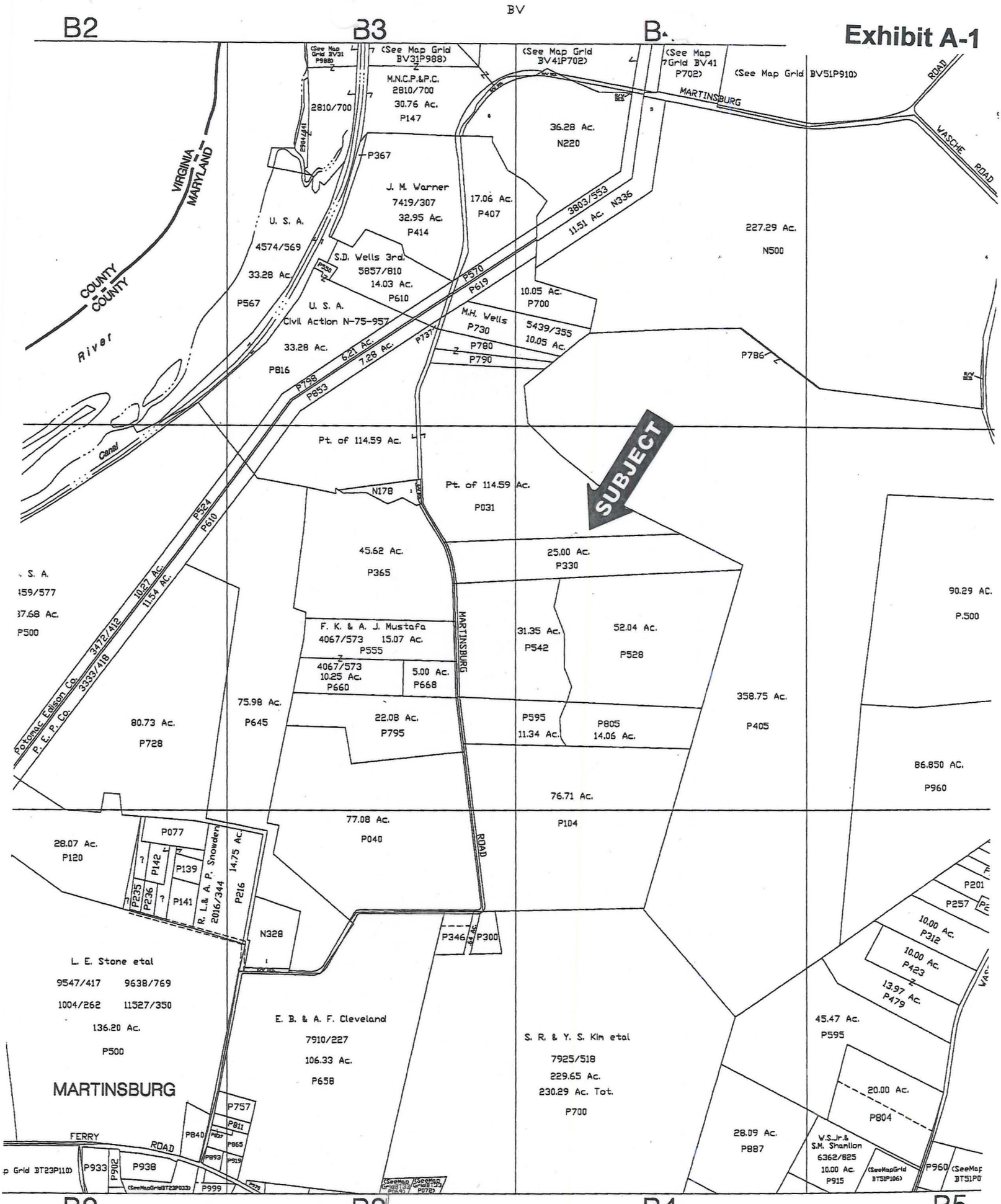
RECOMMENDED BY:

Cynthia L. Brenneman, Director
Office of Real Estate

Date: 2/6/07

R:projects:farm leases:Huang Farm Second Amendment

# Exhibit A-1




MAY NOT BE COPIED
USE MEANS SUCH AS:

SCALE IN FEET

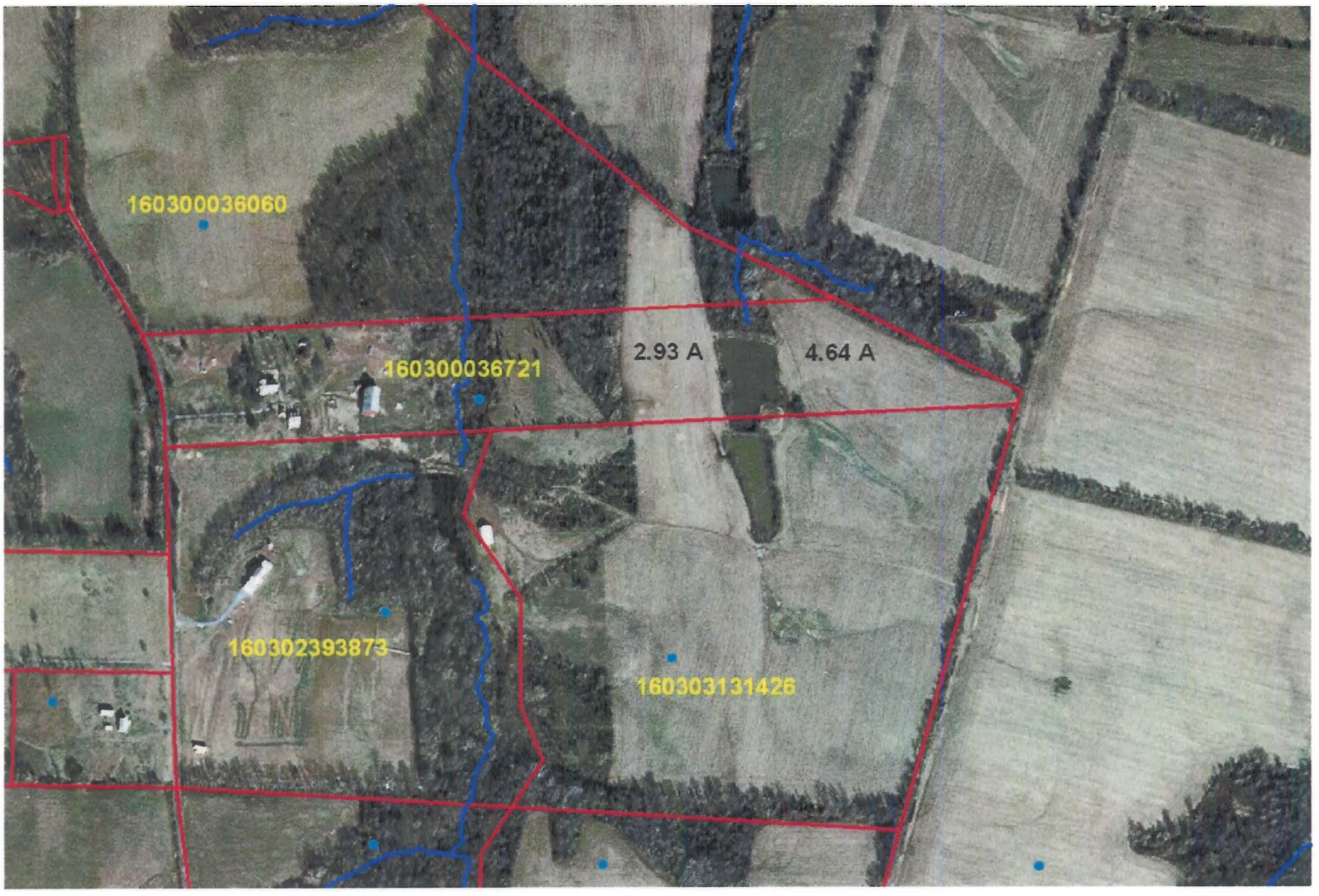
COMPILED BY:
MARYLAND DEPARTMENT OF PLANNING
PROPERTY MAPPING SECTION
The information shown on this map has been compiled from deed

PROPERTY LINE
SUBDIVISION BOUNDARY
TOWN BOUNDARY
PRIVATE ROAD
STREAM LINE

MDP

MONT

EXHIBIT A-2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4.64 A
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