

Shopping Center Store Lease Amendment #2 — Second Extension at 16535 S. Frederick Road (DLC)

This lease amendment is made this 8 day of August 2010 by and between DANIEL, DANIEL AND DANIEL (Landlord) and MONTGOMERY COUNTY, MARYLAND (County), a body corporate and politic and a political subdivision of the State of Maryland, to the lease dated on or about October 29, 1999 for 16535 S. Frederick Road, Gaithersburg, Maryland. Landlord and County (collectively, the "Parties") represent:

Recitals

1. On or about October 29, 1999, the Parties signed the original lease document for the shopping center store at 16535 S. Frederick Road, Gaithersburg, Maryland (Premises) for use by the Montgomery County Department of Liquor Control.
2. On or about June 2, 2005, the Parties signed amendment #1 to this lease which effected the first extension of the term.
3. With this amendment, the Parties intend to effect a second extension of the term.

Agreement

The Parties agree to the following:

(a) **Term.** The Term is hereby extended for FIVE non-calendar years starting September 1, 2010. The new full term ending date is August 31, 2015.

(b) **Base Rent Schedule.** County shall pay Base Rent Installments by the following schedule whose rows and columns are for convenience only and do not reflect any division of the Term or Premises:

Second Extension Base Rent Installment Schedule

Period	Starting Date	No. of Months	Base Rent Installment (\$)	Period Base Rent (\$)
Lease Year #11	September 1, 2010	12	7,145.00	85,740.00
Lease Year #12	September 1, 2011	12	7,359.00	88,308.00
Lease Year #13	September 1, 2012	12	7,580.00	90,960.00
Lease Year #14	September 1, 2013	12	7,807.00	93,684.00
Lease Year #15	September 1, 2014	12	8,041.00	96,492.00
Total Base Rent only				\$ 455,184.00

Landlord: DANIEL, DANIEL AND DANIEL

Version date: July 27, 2010

Tenant: MONTGOMERY COUNTY AT 16535 S. Frederick Rd (DLC)

(c) Monthly Cost Center Installment. County shall continue to pay a Monthly Cost Center Installment of \$932.00 per month until Landlord revises its estimate of the Annual Center Costs. See Section #9 of the original lease.

(d) Possession. County is in possession of the Premises and accepts the Premises "AS-IS", except for Landlord's repair and maintenance obligations.

(e) Brokers. With regard to this amendment, the Landlord and the County each represent that they have not dealt with any finders or real estate agents or brokers.

(f) Mailing Notices. Section 39 of the original lease shall be amended by deleting tenant's Notice Address in its entirety and adding the following in lieu thereof:

TENANT:

Montgomery County
Department of General Services
Office of Real Estate
101 Monroe Street, 9th Floor
Rockville, Maryland 20850
Attn: Director of Real Estate

With copy that does not constitute a notice:

Office of the County Attorney for Montgomery County, Maryland
101 Monroe Street, 3rd Floor
Rockville, Maryland 20850
Attn: County Attorney

(g) Other Terms and Conditions. This Lease now comprises the original document, amendment #1, and this amendment. This amendment supersedes the original document and amendment #1 but all provisions in the original document and amendment #1 that are not changed in this amendment remain unchanged and in force. Some provisions in the document and amendment #1 are repeated here for convenience.

SIGNATURE PAGE FOLLOWS

Landlord: DANIEL, DANIEL AND DANIEL

Tenant: MONTGOMERY COUNTY AT 16535 S. Frederick Rd (DLC)

Signature Page

IN WITNESS WHEREOF, Parties hereto have caused this lease amendment to be properly executed.

Witness To Mr. Daniel:

Landlord: DANIEL, DANIEL AND DANIEL

By: Daniel Psaltis

By: John Daniel

General Partner

Printed name: JOHN DANIEL

Date signed: 8/12/10

County:

MONTGOMERY COUNTY, MARYLAND

By: Diane R. Schwartz-Jones

Diane R. Schwartz-Jones

Assistant Chief Administrative Officer

Date: 8/22/10

APPROVED AS TO FORM & LEGALITY
OFFICE OF THE COUNTY ATTORNEY

RECOMMENDED:

By: Alfred Thompson

By: Cynthia L. Brennan

Date: 8/3/10

Cynthia Brennan, Director

Office of Real Estate

Date: 7/30/10

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