

**AMENDMENT NO. 2 to the**

**SANTA FE COUNTY**

**AND**

**ESPERANZA SHELTER FOR BATTERED FAMILIES, INC.**

**BUILDING LEASE**

Whereas, the County of Santa Fe (hereinafter "**County**"), a political subdivision of the State of New Mexico, and Esperanza Shelter for Battered Families, Inc. (hereinafter "**Esperanza**"), a New Mexico nonprofit corporation, have previously executed a Building Lease (hereinafter "Lease" or "Agreement") and a first amendment thereto; and

WHEREAS Paragraph 3A of the Lease (Rent and Maintenance Charges) required that Esperanza pay the County an annual rent of \$184,044.00 for the Premises, which included 8,764 square feet of usable building area and parking areas; and

WHEREAS, the building design allows for multiple options, including different sizes in square footage (which would not be determined until the construction has been awarded); and

WHEREAS, in order to secure the necessary approval of the NM State Board of Finance, it has been determined that the Lease needs to be amended to provide for a cost "per square foot" rather than a stated total compensation of the annual rent therein; and

WHEREAS, the Parties have agreed that the fair market value for rent will be based on a per square foot rate of \$20.70 per square foot, regardless of the size.

NOW THEREFORE, it is agreed that

1. Paragraph 3 A of the Lease is hereby amended as:

A. **Annual Rent.** Esperanza will pay the County an annual rent, based on the final square footage of the building, at a rate of \$20.70 per square foot. The calculated rent, based on the erected building, will include usable building area and parking areas, payable as set forth in Exhibit B attached hereto and incorporated herein. A market appraisal of the rental value of the Premises shall be conducted every five (5) years during the term of the Lease and the rent shall be adjusted every five (5) years thereafter to reflect the then current rental value.

2. All other terms and conditions of the Lease, including Amendment No. 1 thereto, remain in full force and effect.

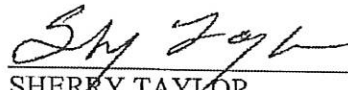
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**COUNTY/LESSOR:**  
SANTA FE COUNTY, NEW MEXICO

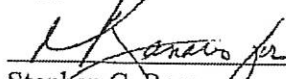
  
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ROMAN ABEYTA  
COUNTY MANAGER

Date: 3/15/10

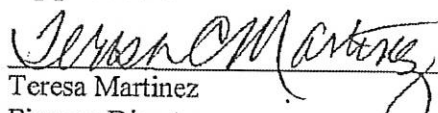
**CENTER/LESSEE:**  
ESPERANZA SHELTER FOR  
BATTERED FAMILIES, INC.

  
\_\_\_\_\_  
SHERRY TAYLOR  
EXECUTIVE

**Approved as to Form:**

  
\_\_\_\_\_  
Stephen C. Ross  
County Attorney

**Approved :**

  
\_\_\_\_\_  
Teresa Martinez  
Finance Director

**Attest:**

  
\_\_\_\_\_  
Valerie Espinoza  
County Clerk

Date: \_\_\_\_\_

**APPROVED:**  
NEW MEXICO STATE BOARD OF FINANCE

  
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Date: 3/16/10