

STATE OF ALABAMA )

COUNTY OF MADISON )

**Modification No. 1 to the  
Lease Agreement Between  
the City of Huntsville, Alabama and  
Drake and Harlan Properties, Inc.  
as adopted and approved Pursuant to  
Resolution No. 19-1212 of the City Council  
of the City of Huntsville**

**MODIFICATION NO. 1 TO LEASE AGREEMENT**

This Modification No. 1 to the Lease Agreement (this “Modification No. 1”) is made effective as of the 15<sup>th</sup> day of December, 2022 by and between the CITY OF HUNTSVILLE, ALABAMA, (the “City”) a municipal corporation within the State of Alabama (the “City”) and DRAKE AND HARLAN PROPERTIES, INC. (“DRAKE AND HARLAN”), an Alabama corporation.

**WITNESSETH**

**WHEREAS** the City and Drake and Harlan entered into that certain Lease Agreement on December 19, 2019 (the “Lease”), with a term of three (3) years commencing on January 1, 2020 and continuing through December 31, 2022; and

**WHEREAS**, the parties mutually desire to extend the said term for an additional two-year period with the City having the option to extend the term for one additional year; and

**WHEREAS**, the parties desire to adjust the rental amount for the extension term.

**NOW THEREFORE**, in consideration of the foregoing facts and circumstances, the mutual covenants and promises contained herein and other good and valuable consideration, the receipt and sufficiency of which is acknowledged by each of the parties, the parties do hereby agree to the following:

1. The term of the Lease is extended an additional two (2) years commencing on January 1, 2023 and continuing through December 31, 2024. Additionally, the City shall have the option to extend the lease for an additional one (1) year commencing on January 1, 2025 and continuing through December 31, 2025.

2. The rent for the extended term (including the option year) shall be Three Thousand Nine Hundred Dollars (\$3,900.00) per month, payable according to the terms and conditions set forth in the original Lease.

3. All other terms and conditions of the Lease Agreement remain unchanged and in full force and effect.

**IN WITNESS WHEREOF**, the parties hereto have entered into this agreement, on the date set forth above.

**THE CITY OF HUNTSVILLE,  
ALABAMA**

\_\_\_\_\_  
Tommy Battle, Mayor  
City of Huntsville, Alabama

**ATTEST:**

\_\_\_\_\_  
Kenneth Benion, City Clerk Treasurer  
City of Huntsville, Alabama

**DRAKE AND HARLAN PROPERTIES, INC.**

By: Stephen W. Harlan  
Its: President

**WITNESS:**

By: Quoniam Stoney  
Its: colt admin aide

STATE OF ALABAMA     )  
COUNTY OF MADISON     )

I, the undersigned, a notary public in and for said County, in said State, hereby certify that Tommy Battle and Kenneth Benion, whose names as Mayor and City-Clerk Treasurer of The City of Huntsville, a municipal corporation in the State of Alabama are signed to the foregoing instrument, and who are known to me, acknowledged before me on this day that, being informed of the contents of the instrument, they, in their capacity as such officers, executed the same voluntarily for and as the act of said corporation on the day the same bears day.

GIVEN under my hand and official seal this the \_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
Notary Public

STATE OF ALABAMA     )  
COUNTY OF MADISON     )

I, the undersigned, a notary public in and for said County, in said State, hereby certify that \_\_\_\_\_ and \_\_\_\_\_, whose names as \_\_\_\_\_ and \_\_\_\_\_ of DRAKE AND HARLAN PROPERTIES, INC, an Alabama corporation, are signed to the foregoing instrument, and who are known to me, acknowledged before me on this day that, being informed of the contents of the instrument, they, in their capacities as such officers, executed the same voluntarily for and as the act of said corporation on the day the same bears day.

GIVEN under my hand and official seal this the 1st day of Dec., 2022.

Peggy Smith  
Notary Public