

RESOLUTION 1978-50-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS, APPROVING A SECOND LEASE AMENDMENT AND ADDENDUM TO THAT LEASE OF OCTOBER 17, 1977 AND THAT FIRST LEASE AMENDMENT AND ADDENDUM OF APRIL 3, 1978, ENTERED INTO BETWEEN THE CITY OF SAN MARCOS AND THE SAN MARCOS AREA CHAMBER OF COMMERCE, INCORPORATED FOR THE LEASE OF CERTAIN PROPERTY WITHIN THE CITY; AUTHORIZING THE MAYOR TO EXECUTE SAID AMENDMENT AND ADDENDUM ON BEHALF OF THE CITY OF SAN MARCOS; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the San Marcos Area Chamber of Commerce has applied for financing to construct its building on City property as provided in said lease; and

WHEREAS, the Chamber of Commerce, Incorporated has been informed that it will need to file said lease and amendments of record with the County Clerk of Hays County; and

WHEREAS, paragraph XV of the lease and paragraph V of the first amendment and addendum both state that the lease agreement shall not be filed of record; and

WHEREAS, the Chamber of Commerce, Incorporated requests that these restrictions be removed from the lease and its amendment; now, therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS:

PART 1. That the lease amendment and addendum attached hereto and for all intents and purposes incorporated herein, be, and is hereby, approved.

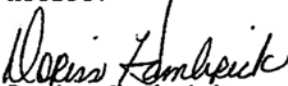
PART 2. That Mayor Robert L. Cavazos, or his successor, be, and is hereby, authorized to execute same on behalf of the City of San Marcos.

PART 3. That this resolution shall be in full force and effect immediately from and after its passage.

ADOPTED this 12th day of June, 1978.


Robert L. Cavazos
Mayor

ATTEST:


Doriss Hambrick
City Secretary

APPROVED:


Charles E. Evans
City Attorney

311 PA 648

THE STATE OF TEXAS X
COUNTY OF HAYS X

SECOND LEASE AMENDMENT AND ADDENDUM

118625

This Second Lease Amendment is entered into this 12th day of June, 1978, by and between the City of San Marcos and the San Marcos Area Chamber of Commerce, Incorporated in accordance with Paragraph XVIII of that original lease executed on the 17th day of October A. D. 1977 and both parties now wish to amend certain provisions of the original lease and of the first amendment executed on the 3rd day of April, 1978, said amendment being as follows:

I.

Paragraph XV of that lease of October 17, 1977, prohibiting the filing of record of the lease agreement is hereby deleted in its entirety.

II.

Paragraph V of the first Lease Amendment and Addendum of April 3, 1978, prohibiting the filing of record of said Lease Agreement Amendment and Addendum is hereby deleted in its entirety.

EXECUTED this 12th day of June, 1978.

CITY OF SAN MARCOS

BY: Robert L. Cavazos

SAN MARCOS AREA CHAMBER OF COMMERCE INCORPORATED

BY: [Signature]

STATE OF TEXAS X
COUNTY OF HAYS X

ACKNOWLEDGEMENT

Before me, the undersigned authority, on this day personally appeared Robert L. Cavazos, Mayor of the City of San Marcos, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and considerations therein expressed, in the capacity therein stated and as the act and deed of the City Council of the City of San Marcos, Texas.

Before me, the undersigned authority, on this day personally appeared James K. Wiss, President of the San Marcos Chamber of Commerce, Incorporated, known, to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and considerations therein expressed, in the capacity therein stated and as the act and deed of the President of the San Marcos Area Chamber of Commerce, Incorporated.

Given under my hand and seal of office on this 13th day of June, A. D. 1978.



Doriss Hambrick
Notary Public in and for Hays County Texas

DORISS HAMBRICK, Notary Public
Hays County, Texas. My commission expires 10-31-1978

STATE OF TEXAS }
COUNTY OF HAYS }

I hereby certify that this instrument was FILED on the date and at the time stamped hereon by me; and was duly RECORDED, in the Volume and Page of the named RECORDS of Hays County, Texas, as stamped hereon by me, on



Jun 14 1978
Lydia B. Clayton
COUNTY CLERK
HAYS COUNTY, TEXAS

FILED
HAYS COUNTY, TEXAS
'78 JUN 13 PH 2 20

Lydia B. Clayton