



Contract Number

94-291 A4

SAP Number

San Bernardino County Flood Control District

Department Contract Representative	Terry W. Thompson, Director
Telephone Number	(909) 387-5000
Contractor	City of San Bernardino Municipal Water Department
Contractor Representative	Steve R. Miller
Telephone Number	909-453-6100
Contract Term	4/5/1994 – 5/31/2036
Original Contract Amount	\$0.00
Amendment Amount	\$0.00
Total Contract Amount	\$0.00
Cost Center	1920002522
GRC/PROJ/JOB No.	38004735
Internal Order No.	
Grant Number (if applicable)	

IT IS HEREBY AGREED AS FOLLOWS:

WHEREAS, San Bernardino County Flood Control District ("DISTRICT"), and City of San Bernardino Municipal Water Department ("LICENSEE") entered into a License Agreement, Contract No. 94-0291 dated April 5, 1994, and as amended on June 2, 1998 (the "First Amendment"), and as amended on January 31, 2006 (the "Second Amendment"), and as amended on June 4, 2013 (the "Third Amendment") (Collectively, "the License") wherein the LICENSEE has agreed to license certain real property from the DISTRICT; and,

WHEREAS, the DISTRICT and LICENSEE now desire to extend the License Agreement, to reflect a permitted month-to-month holdover of a total of twenty-five (25) months from April 5, 2024 to May 31, 2026, with DISTRICT's express consent, and following said holdover, to reflect LICENSEE exercise of the third of four ten-year options to extend the license term until May 31, 2036 (the "Third Extended Term");

NOW, THEREFORE, in consideration of mutual covenants and conditions, the parties hereto agree that License Agreement, Contract 94-0291 is amended as follows:

1. Pursuant to **Paragraph 13, HOLDING OVER**, LICENSEE shall, with DISTRICT's express consent granted herein, use the Premises on a month-to-month holdover term for a total of twenty-five (25) months, for the period of April 5, 2024 through May 31, 2026, for a total amount of \$0.00.

2. Effective June 1, 2026, pursuant to LICENSEE's exercise of its third of four ten-year extension options to extend in **Paragraph 3, OPTION TO EXTEND TERM**, DELETE in its entirety the existing **Paragraph 2, TERM**, and SUBSTITUTE therefore the following as a new **Paragraph 2, TERM**:

2. **TERM**: The term of the License is hereby extended through the exercise of the third of four 10-year extension options, such that the License term shall continue through May 31, 2036 (the "Third Extended Term").

3. This Fourth Amendment may be executed in any number of counterparts, each of which so executed shall be deemed to be an original, and such counterparts shall together constitute one and the same Fourth Amendment. The parties shall be entitled to sign and transmit an electronic signature of this Fourth Amendment (whether by facsimile, PDF, or other email transmission), which signature shall be binding on the party whose name is contained therein. Each party providing an electronic signature agrees to promptly execute and deliver to the other party an original signed Fourth Amendment upon request.

4. All other provisions and terms of the License shall remain the same and are hereby incorporated by reference. In the event of conflict between the License and this Fourth Amendment, the provisions and terms of this Fourth Amendment shall control.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

END OF FOURTH AMENDMENT

SAN BERNARDINO COUNTY FLOOD CONTROL DISTRICT

CITY OF SAN BERNARDINO MUNICIPAL WATER DEPARTMENT

(Print or type name of corporation, company, contractor, etc.)

►

Dawn Rowe, Chair

By ► _____
(Authorized signature - sign in blue ink)

Dated: _____
SIGNED AND CERTIFIED THAT A COPY OF THIS DOCUMENT HAS BEEN DELIVERED TO THE CHAIRMAN OF THE BOARD

Name Miguel Guerrero
(Print or type name of person signing contract)

Lynna Monell
Clerk of the Board

Title General Manager
(Print or Type)

By _____
Deputy

Dated: _____

Address 1350 South E St
San Bernardino, CA 92408

FOR COUNTY USE ONLY

Approved as to Legal Form

Reviewed for Contract Compliance

Reviewed/Approved by Department

►

John Tubbs II, Deputy County Counsel

►

►

John Gomez, Real Property Manager, RESD

Date _____

Date _____

Date _____