



ORIGINAL

Contract Number

05-413-A5

SAP Number

## Real Estate Services Department

Department Contract Representative  
Telephone Number

Terry W. Thompson, Director  
(909) 387-5252

Contractor  
Contractor Representative  
Telephone Number  
Contract Term  
Original Contract Amount  
Amendment Amount  
Total Contract Amount  
Cost Center  
GRC/PROJ/JOB No.  
Internal Order No.

Oso Grande Properties, LLC  
Michael Perry  
909-586-5819  
6/7/05-12/31/20  
N/A  
N/A  
N/A

### IT IS HEREBY AGREED AS FOLLOWS:

*(Use space below and additional bond sheets. Set forth service to be rendered, amount to be paid, manner of payment, time for performance or completion, determination of satisfactory performance and cause for termination, other terms and conditions, and attach plans, specifications, and addenda, if any.)*

WHEREAS, OSO GRANDE PROPERTIES, LLC ("OSO") and the COUNTY OF SAN BERNARDINO ("COUNTY") have previously entered into a Transfer Agreement, Contract No. 05-413 dated June 7, 2005, wherein OSO agreed to deed 71 acres of OSO property (identified as the "Offered Parcel") to COUNTY; and COUNTY would exchange the Offered Parcel with the U.S. Forest Service for approximately 72.83 acres of U.S. Forest Service property (identified as the "Original USFS Parcel") and COUNTY would then lease approximately 67.83 acres of the USFS Parcel to OSO;

WHEREAS, Amendment No. 1 of the Transfer Agreement, Contract No. 05-413, was executed on October 21, 2008, which reflected a change in the size of the Original USFS Parcel (from  $\pm 72.83$  acres to  $\pm 53$  acres and the term "USFS Parcel" as used from and after Amendment No. 1 means the  $\pm 53$  acres of USFS land), reflected a change in the portion of the USFS Parcel to be leased to OSO (from  $\pm 67.83$  acres to  $\pm 47$  acres), and extended the term of said agreement to December 31, 2012; and

WHEREAS, Amendment No. 2 of the Transfer Agreement, Contract No. 05-413 was executed on September 11, 2012, which extended the term of said agreement to December 31, 2017; and

WHEREAS, Amendment No. 3 of the Transfer Agreement, Contract No. 05-413 was executed on December 5, 2017, which extended the term of said agreement to June 30, 2019; and

WHEREAS, Amendment No. 4 of the Transfer Agreement, Contract No. 05-413 was executed on June 25, 2019, which revised the form and rental rate for the contingent lease attached to said agreement, clarified the properties subject to said agreement, and extended the term of said agreement to December 31, 2019; and

WHEREAS, the COUNTY and OSO now desire to amend the Transfer Agreement, Contract No. 05-413, as amended by Amendment No. 1, Amendment No. 2, Amendment No. 3, and Amendment No. 4 (collectively, the "Transfer Agreement") to further extend the term of the Transfer Agreement to December 31, 2020.

NOW, THEREFORE, in consideration of the foregoing recitals, which are incorporated herein by reference, and the mutual covenants and conditions, the parties hereto agree the Transfer Agreement is amended as follows:

1. CHANGE that portion of Paragraph 2, ACQUISITION OF USFS PARCEL, subparagraph (a) which now reads:  
    "...acceptable to COUNTY and OSO by December 31, 2019..." to read  
    "...acceptable to COUNTY and OSO by December 31, 2020..."
2. CHANGE that portion of Paragraph 3, TERM OF AGREEMENT, which now reads:  
    "...USFS Parcel from the USFS or December 31, 2019..." to read  
    "...USFS Parcel from the USFS or December 31, 2020..."

**THE REMAINDER OF THIS PAGE LEFT INTENTIONALLY BLANK**

3. All other provisions and terms of the Transfer Agreement shall remain the same and are hereby incorporated by reference. In the event of any conflict between the terms of this Amendment No. 5 and the Transfer Agreement, as previously amended, the terms of this Amendment No. 5 shall control.
4. This Amendment No. 5 shall be effective upon execution by both parties. COUNTY and OSO each represent for itself that its respective signators executing this Amendment No. 5 are fully authorized to enter into this amendment.

END OF AMENDMENT NO. 5.

COUNTY OF SAN BERNARDINO



Curt Hagman, Chairman, Board of Supervisors

Dated: DEC 17 2019

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

Lynna Monell  
Clerk of the Board of Supervisors  
of the County of San Bernardino

By  Deputy

OSO GRANDE PROPERTIES, LLC

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

By   
(Authorized signature - sign in blue ink)

Name Gino Scopesi  
(Print or type name of person signing contract)

Title C.E.O.  
(Print or Type)

Dated: 11-21-19

Address Post Office Box 2837  
Big Bear Lake, CA 92315

Approved as to Legal Form

  
Agnes Cheng, Deputy County Counsel

Date 12/11/19

Reviewed for Contract Compliance



Date \_\_\_\_\_

Reviewed/Approved by Department

  
Marilee Rendulich, Real Property Manager, RESD

Date \_\_\_\_\_