



RESOLUTION

**AUTHORIZING THE CITY OF NASHUA TO EXTEND THE LEASE AGREEMENT
WITH THE NASHUA DOG OWNERS GROUP, INC. FOR THE DOG PARK AT
YUDICKY FARM**

CITY OF NASHUA

In the Year Two Thousand and Sixteen

RESOLVED by the Board of Aldermen of the City of Nashua that the City is authorized to extend the Lease Agreement with the Nashua Dog Owners Group, Inc. for the dog park at city owned property at Yudicky Farm by entering into the attached extension.

LEGISLATIVE YEAR 2016

RESOLUTION: R-16-071

PURPOSE: Authorizing the City of Nashua to extend the lease agreement with the Nashua Dog Owners Group, Inc. for the dog park at Yudicky Farm

ENDORSER(S): Mayor Jim Donchess

**COMMITTEE
ASSIGNMENT:**

FISCAL NOTE: The fiscal impact to the city will be minimal as the lease calls for an annual payment from the lessee of \$1.00 and the costs associated with any improvements or operations will be borne by the lessee.

ANALYSIS

This resolution authorizes the City of Nashua to extend the lease agreement with the Nashua Dog Owners Group, Inc. for the dog park at Yudicky Farm.

This legislation should be referred to the Board of Public Works.

Approved as to form: Office of Corporation Counsel

By: 

Date: 9/21/2014

LEASE EXTENSION

THIS LEASE EXTENSION AGREEMENT ("Lease Extension") is made and entered into as of _____, **2016**, by and between the **City of Nashua** ("City") and **Nashua Dog Owners Group, Inc.** ("Lessee").

In consideration of the covenants and obligations contained herein and of other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties agree as follows:

1. PRIOR LEASE: The parties executed a Lease agreement for a dog park at Yudicky Farm, dated as of October 3, 2011 ("Lease Agreement") with a term of lease commencing September 4, 2011 (thirty-one (31) days after the August 4, 2011 date of site plan approval by the City's Planning Board for the dog park), and expiring five (5) years after commencement on September 3, 2016. All terms, conditions, and provisions of said Lease Agreement are incorporated herein by reference unless specifically amended hereby.

2. EXTENSION OF PRIOR LEASE TERM: Section 1 of the Lease Agreement provided for two (2) additional five (5) year terms upon mutual agreement of the parties, which agreement by the city "shall not be unreasonable withheld." The parties wish to exercise the first renewal term and extend the Lease Agreement for an additional five (5) year term, commencing on September 4, 2016 and expiring on September 3, 2021.

IN WITNESS OF THIS AGREEMENT, City and Lessee execute this agreement as of the day and year first above written.

LESSEE: Nashua Dog Owners Group, Inc.,

CITY: City of Nashua

Print Name _____
Title: _____,
Duly Authorized

James W. Donchess, Mayor,
Duly Authorized