DATE: June 13, 2005

SUBJECT: Approval of the First Amendment to Deed of Lease, between The County Board of Arlington County, Virginia and Arlington School Board on the County's real property at 4975 Columbia Pike, Arlington, VA.

C. M. RECOMMENDATIONS:

Defer consideration of the proposed lease to the September 17, 2005 County Board Meeting.

ISSUE: None.

SUMMARY: By the County Board approving the First Amendment to Deed of Lease (“First Amendment”) and after the First Amendment has been properly executed, the School Board may continue to occupy 4975 Columbia Pike (“Building”), consisting of approximately 19,000 square feet portion on the first (1st) floor of the Building, including rooms 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, and 126, which includes general classrooms, multi-purpose room, art room and computer room, and the corridors, restrooms, vestibules, and storage rooms in the Building, together with the non-exclusive use of the parking area (the “Parking Lot”) and certain surrounding land and improvements, all of the aforesaid space in the Building, land and improvements are collectively referred to herein as the, Arlington, Virginia (“Premises”) under the terms of the First Amendment beginning on September 1, 2005. Deferral is recommended to allow staff and Arlington School Board more time to address and resolve the outstanding issues.

BACKGROUND: Staff is finalizing the First Amendment to extend the term and amend other sections of the initial Lease, dated September 8, 1997. On July 28, 2001, at a Regular Meeting, the County Board approved the Amended Deed of Lease to amend the certain terms and extend the lease renewal period from September 1, 2001 to August 31, 2005 to allow the Lessee to conduct its High School Continuation Program; however, the Amended Deed of Lease was not executed.

DISCUSSION: The First Amendment is being structured to provide a commercially viable agreement to protect the County’s rights and needs as a local government. The terms and conditions are under negotiation. Arlington School Board has agreed with this deferral report.

County Manager: _____________
County Attorney: _____________
Staff: Linda DePersis/Abigail Sessler, DES, Real Estate Section
CONCLUSION: It is recommended that the County Board defer consideration of the proposed First Amendment.
EXHIBIT A – VICINITY MAP

4975 Columbia Pike, Arlington, VA