

FIRST AMENDMENT

This is the First Amendment to that certain agreement (Agreement), dated June 23, 2017, by and between the THE CITY OF SALEM, an Oregon municipal corporation (“**Buyer**”), and THE STATE OF OREGON, acting by and through its Department of Administrative Services (“**Seller**”). Buyer and Seller are each a “**Party**” and together the “**Parties**”.

RECITALS

A. Whereas, Buyer and Seller entered into the Agreement for the purchase and sale of certain real property located at the site of the former Oregon State Hospital in the City of Salem, Marion County, Oregon;

B. Whereas, Buyer and Seller desire to amend the Agreement to include Buyer’s assumption of a ground lease for the Oregon Department of Environmental Quality’s air quality monitoring equipment located on the Property;

NOW THEREFORE, the Parties agree that the following section of the Agreement be amended as shown below:

1. **Agreement of Purchase and Sale.** Subject to and upon the terms and conditions herein, Seller shall sell to Buyer, and Buyer shall purchase from Seller, the Property, together with all of Seller’s right, title and interest in and to any rights licenses, privileges, reversions and easements appurtenant to the Property except for any mineral rights. Agreement specifically includes, but is not limited to, a ground lease (“**Lease**”) between the Oregon Department of Administrative Services and the Oregon Department of Environmental Quality for air quality monitoring equipment located on the Property. Prior to Closing, Seller shall record a Memorandum of Lease in the real property records of Marion County.

Except as set forth in this First Amendment, the terms and conditions of the Agreement shall remain unchanged.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE(S)]

Each person signing this Agreement below on behalf of a Party represents and warrants that he or she is duly authorized by such Party and has legal capacity to do so.

SELLER:

The State of Oregon, by and through its Department of Administrative Services

By: _____ Date: _____
Name: _____
Its: _____

Address:
City, State, ZIP:
ATTN:
Phone Number:
Email Address:
Fax Number:

BUYER:

The City of Salem, an Oregon municipal corporation

By: _____ Date: _____
Name: Steven D. Powers
Its: City Manager

Address: 350 Commercial St. NE
City, State, ZIP: Salem, OR 97301
ATTN: Clint Dameron
Phone Number: 503-540-2404
Email Address: CDameron@cityofsalem.net
Fax Number: 503-589-2054