

LEASE RENEWAL #5 (2013-2014)

SIGNED 5/20/2013

**RENEWAL OF LEASE NO. 5**

LEASE AMOUNT FOR RENEWAL PERIOD: \$681,854.16

**THIS RENEWAL OF LEASE NO. 5**, made and entered into on the date the Legislative Affairs Agency Executive Director or her designee signs the Renewal of Lease No. 5, is by and between 716 WEST FOURTH AVENUE, LLC, an Alaska limited liability company, whose address is P.O. Box 241826, Anchorage, Alaska 99524, hereinafter referred to as "Lessor," and the LEGISLATIVE AFFAIRS AGENCY, whose address is State Capitol, Room 3, Juneau, Alaska 99801-1182, hereinafter referred to as "Lessee", and hereby amends and renews the lease dated April 6, 2004, recorded in Book 2004-024411-0, Anchorage Recording District, Third Judicial District, State of Alaska, amended September 12, 2006, amended and renewed on March 11, 2009, and renewed October 11, 2010; April 13, 2011; and July 19, 2012.

**WITNESSETH**

**WHEREAS**, the Lessor is currently leasing to the Lessee the following described premises, hereinafter "premises," described as follows:

Approximately 22,834 square feet of office space, which consists of all net usable office space on the second through sixth floors and approximately 811 square feet of storage space in the basement, at the building located at 716 West 4<sup>th</sup> Avenue in Anchorage, Alaska at Lot 3A, Block 40, of the Original Townsite of Anchorage, according to the official plat thereof, Third Judicial District, State of Alaska,

and Eighty-Six (86) reserved off-street parking places.

**NOW, THEREFORE, LESSOR AND LESSEE, AGREE AS FOLLOWS:**

1. That the Lease is renewed for a term of one (1) year beginning June 1, 2013, and terminating at 11:59 p.m. on May 31, 2014, with the Lessee having no renewal options remaining.

2. The monthly rental rate of Fifty-Six Thousand, Three Hundred Sixty, and 72/100 dollars (\$56,360.72) will remain firm until July 1, 2013, at which time the rent will be adjusted to reflect changes in the Lessor's variable costs. The annual adjustment will be based on the percentage of change between 2003 and the calendar year before the calendar year of the adjustment, in the U.S. Department of Labor Consumer Price Index for All Urban Consumers, Anchorage Area (CPI-U). The Annual Adjusted Monthly Rental Rate will be computed as follows:

#### PERCENTAGE OF CHANGE IN CPI-U

(Annual average CPI-U for the calendar year preceding the year of adjustment) -  
(Annual average CPI-U for the calendar year 2003 (162.50) = x

$$X / 162.50\% = y\%$$

#### ADJUSTED MONTHLY RENTAL RATE

[(35% x Base Monthly Rental Rate) x % of change in CPI-U] + Base Monthly Rental Rate = Adjusted Monthly Rental Rate.

[(35% x Base Monthly Rental Rate) x y%] + Base Monthly Rental Rate = Adjusted Monthly Rental Rate.

The monthly rental rate for the year beginning July 1, 2013, is computed as follows:

Annual average CPI-U for the calendar year 2012 (205.916) –  
Annual average CPI-U for the calendar year 2003 (162.50) = 43.416

$$43.416/162.50\% = 26.72\%$$

$$[(35\% \times \$52,000.00) \times 26.72\%] + \$52,000 = \$56,863.04$$

3. **AUTHORIZATION; CERTIFICATION:** Execution of this Renewal of Lease No. 5 was authorized by a majority of the members of the Alaska Legislative Council at a meeting on March 21, 2013.

Funds are available in an appropriation to pay for the Lessee's monetary obligations under the lease through June 30, 2014. In addition to any other right of the Lessee under this Lease to terminate the Lease, if, in the judgment of the Legislative Affairs

Agency Executive Director, sufficient funds are not appropriated, the Lease will be terminated by the Lessee or amended. To terminate under this section, the Lessee shall provide written notice of the termination to the Lessor.

4. All other provisions of the original lease, as amended and renewed, will remain the same.

**IN WITNESS WHEREOF**, the Lessor and Lessee have executed this Renewal of Lease No. 5 on the day, month, and year indicated below.

LESSOR:

716 WEST FOURTH AVENUE, LLC

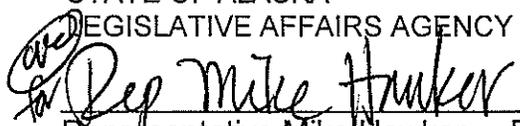
  
Robert B. Acree  
Member

4/22/13  
Date

Tax Identification No.: 03-0443569  
Business License No.: 423463

LESSEE:

STATE OF ALASKA  
LEGISLATIVE AFFAIRS AGENCY

  
Rep Mike Hawker  
Representative Mike Hawker  
Chair

5/20/13  
Date

Alaska Legislative Council  
Procurement Officer

CERTIFYING AUTHORITY:

  
Pamela A. Varni  
Executive Director  
Legislative Affairs Agency

5/20/13  
Date

APPROVED AS TO FORM:

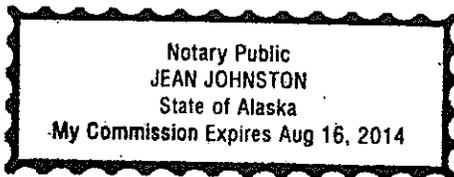
  
Theresa L. Sawicki  
Legal Counsel

4-4-13  
Date

STATE OF ALASKA )  
 ) ss.  
THIRD JUDICIAL DISTRICT )

THIS IS TO CERTIFY that on this 22<sup>nd</sup> day of April, 2013, before me the undersigned Notary Public in and for the State of Alaska, duly commissioned and sworn as such, personally appeared, ROBERT B. ACREE, known to me and to me known to be the individual named in and who executed the above and foregoing Renewal of Lease on behalf of 716 WEST FOURTH AVENUE, LLC, and who acknowledged to me that he had full power and authority to, and did execute the above and foregoing Renewal of Lease on behalf of and as the free and voluntary act and deed of 716 WEST FOURTH AVENUE, LLC, for the uses and purposes therein mentioned.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my notarial seal the day, month and year first above written.

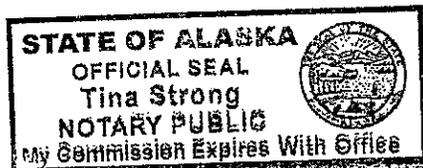


Jean Johnston  
Notary Public in and for Alaska  
My commission expires: 8/16/2014

STATE OF ALASKA )  
 ) ss.  
FIRST JUDICIAL DISTRICT )

THIS IS TO CERTIFY that on the 20<sup>th</sup> day of May, 2013, before me, the undersigned Notary Public in and for Alaska, duly commissioned and sworn as such, personally appeared REPRESENTATIVE MIKE HAWKER, known to me and to me known to be the individual named in and who executed the above and foregoing Renewal of Lease as the CHAIR OF THE ALASKA LEGISLATIVE COUNCIL, and he acknowledged to me that he executed the foregoing Renewal of Lease as the free and voluntary act and deed of his principal for the uses and purposes therein set forth.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my notarial seal the day, month and year first above written.



Tina Strong  
Notary Public in and for Alaska  
My commission expires: "with office"

STATE OF ALASKA

)

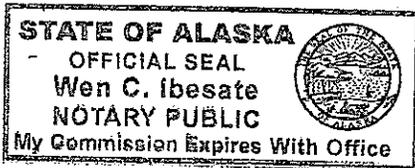
) ss.

FIRST JUDICIAL DISTRICT

)

THIS IS TO CERTIFY that on the 20th day of May, 2013, before me, the undersigned Notary Public in and for Alaska, duly commissioned and sworn as such, personally appeared PAMELA A. VARNI, known to me and to me known to be the individual named in and who executed the above and foregoing Renewal of Lease as the EXECUTIVE DIRECTOR of the STATE OF ALASKA LEGISLATIVE AFFAIRS AGENCY, and she acknowledged to me that she executed the foregoing Renewal of Lease as the free and voluntary act and deed of her principal for the uses and purposes therein set forth.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my notarial seal the day, month and year first above written.



*Wen C. Ibesate*

Notary Public in and for Alaska

My commission expires: "With Office"

**FOR RECORDING DISTRICT OFFICE USE ONLY:**

No Charge - State Business

After recording return to:  
Tina Strong, Supply Officer  
Legislative Affairs Agency  
State Capitol, Rm 3  
Juneau, AK 99801-1182