

THIRD AMENDMENT TO WATER SALE AGREEMENT

AB BROWN SPORTS COMPLEX

AMERICAN YOUTH SOCCER ORGANIZATION- REGION 47

THIS THIRD AMENDMENT TO WATER SALE AGREEMENT ("Third Amendment") is made and entered into this _____ day of _____, 2019, by and between the CITY OF RIVERSIDE, a California charter city and municipal corporation ("City"), and AMERICAN YOUTH SOCCER ORGANIZATION- REGION 47, a California non-profit corporation ("AYSO"), with respect to the following facts:

RECITALS

WHEREAS, on or about May 26, 2015, City and AYSO entered into a Water Sale Agreement ("Agreement"); and

WHEREAS, on or about June 14, 2016, City and AYSO entered into a First Amendment to Water Sale Agreement ("First Amendment") extending the term by two years; and

WHEREAS, on or about July 11, 2018, City and AYSO entered into a Second Amendment to Water Sale Agreement ("Second Amendment") extending the term by one year until June 30, 2019, and providing that Lessee shall have an option to extend the term of the Lease for two (2) additional one-year periods and that Lessee may exercise such options by (i) sending a written request to the City at least one hundred twenty (120) days prior to the expiration of the then-current term of the Lease; (ii) providing an accounting of all other use of the Property by non-AYSO entities during the preceding year of the Lease; and (iii) providing an accounting of all funds collected by AYSO from non-AYSO entities for use of the Property during the preceding year of the Lease; and

WHEREAS, the Agreement will expire on June 30, 2019; and

WHEREAS, Lessee has (i) sent a written request to the City at least one hundred twenty (120) days prior to June 30, 2019; (ii) provided an accounting of all other use of the Property by non-AYSO entities during the preceding year of the Lease; and (iii) provided an accounting of all funds collected by AYSO from non-AYSO entities for use of the Property during the preceding year of the Lease; and

WHEREAS, City and AYSO desire to extend the term of the Agreement by one year, to June 30, 2020.

NOW, THEREFORE, in consideration of the foregoing recitals, which are incorporated herein by this reference, City and AYSO agree as follows:

1. The term of the Agreement is hereby extended by one year, until June 30, 2020.

2. All terms and conditions of the Agreement, and the First and Second Amendments thereto, not inconsistent with this Third Amendment shall remain in full force and effect, and are incorporated herein by this reference as if set forth in full.

IN WITNESS WHEREOF, City and AYSO have caused this Third Amendment to Water Sale Agreement to be duly executed on the day and year first above written.

CITY OF RIVERSIDE, a California
charter city and municipal corporation

AMERICAN YOUTH SOCCER
ORGANIZATION - REGION 47,
a California non-profit corporation

By: _____
City Manager

By: _____

Attest: _____
City Clerk

Matthew B. Wingar, National President
[Name and Title]

Terry Kelly
Region Commissioner

APPROVED AS TO FORM:

By: _____

By: _____
Anthony L. Beaumon
Deputy City Attorney

[Name and Title]