

**EAST BAY REGIONAL PARK DISTRICT  
And  
OHLONE COMMUNITY COLLEGE DISTRICT**

**FIRST AMENDMENT TO  
OPERATING LEASE AGREEMENT**

This First Amendment to Operating Lease Agreement is hereby approved by the mutual agreement of the parties to the Operating Lease Agreement dated October 13, 2004, by and between the **Ohlone Community College District**, a public agency ("**College**") and the **East Bay Regional Park District**, a California special district ("**Parks**").

- A. **Effective Date and Parties:** Effective November 30, 2009, **Parks** and **College**, mutually agree as follows:
- B. **Purpose:** On October 13, 2004, **Parks** and **College** entered into a Operating Lease Agreement for the purpose of leasing of a portion of **College's** property, together with the necessary appurtenances thereto, all hereinafter referred to as the "Premises," and located on and adjacent to the Ohlone College Campus in Fremont, California. The Premises is commonly known as a portion of the Mission Peak Regional Preserve, Ohlone College corral and park access area, and the Peak Trail. The lease area is as depicted in Exhibit "A".
- C. **Amendment to Agreement:** The Lease Agreement shall be amended as follows:
- 1) **College** agrees to extend the term of the Lease to **Parks** for the Premises for a period of five years, ending on **November 30, 2014**.
  - 2) **Parks** will be allowed to place a hiking/biking gate at the entrance to the Panorama Trailhead located at Witherly Lane, all within the Ohlone College Campus. This gate is depicted on Exhibit A hereto.
- D. **Effect:** Except as modified by this Amendment, all terms and conditions of the Operating Lease Agreement dated October 13, 2004, shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have executed this Amendment, the day and year first above written.

**COLLEGE**

**PARKS**

**OHLONE COMMUNITY COLLEGE DISTRICT  
a public agency**

**EAST BAY REGIONAL PARK DISTRICT  
a California special district**

By: \_\_\_\_\_

\_\_\_\_\_  
General Manager

Title: \_\_\_\_\_

Approved as to form:

Approved as to form: