



MEMORANDUM

Date: September 29, 2016

To: Board of Public Works
From: Pamela A. Captain, City Attorney

Re: Proposed Lease Agreement between Menasha Joint School District and
City of Menasha – 100 Main Street, Menasha, WI

Attached for your review and consideration you will find a Summary of Basic Lease Information provided by the Menasha Joint School District to the City and floor plans. Below also find a summary of material terms.

MATERIAL TERMS AND CONDITIONS

1. Leased Premises:
 - a. Part of first floor (exclusive for health department use)
 - b. All of second floor (exclusive use)
 - c. Share part of first floor (Public meeting rooms; employee break room; IT server room)
 - d. Part of roof for cell phone equipment
 - e. Share parking lot
2. Rent:
 - a. \$70,088
 - i. Based on square footage: \$4 exclusive use/\$2 shared used
 - j. Same rent for five years
 - k. Includes utilities, maintenance, repairs, snow removal
 - l. Includes backup generator for IT servers and health department
 - b. Ability of school board to adjust rent annually after five year anniversary (based on CPI)
3. Term: 30 years with either party having the ability to terminate the lease after 10 years
4. Tenant responsible for tenant Initial Build-out
5. Tenant responsible for its own improvements; fixtures and furnishings
6. Tenant responsible for repairs/damages tenant causes

7. Insurance:
 - a. Tenant to carry insurance
 - b. Tenant to comply with Landlord's Fire and Casualty Insurance requirements or Tenant will be responsible for extra costs to Landlord
8. Indemnity: Each party to indemnify and hold the other harmless from breach, claims, negligence including attorney fees
9. City has a sixty day right of first refusal to purchase the property if the Landlord receives a third-party offer

If these terms are acceptable please forward to the Common Council for approval and a formal lease agreement can be drafted for execution with the approved material terms and conditions.

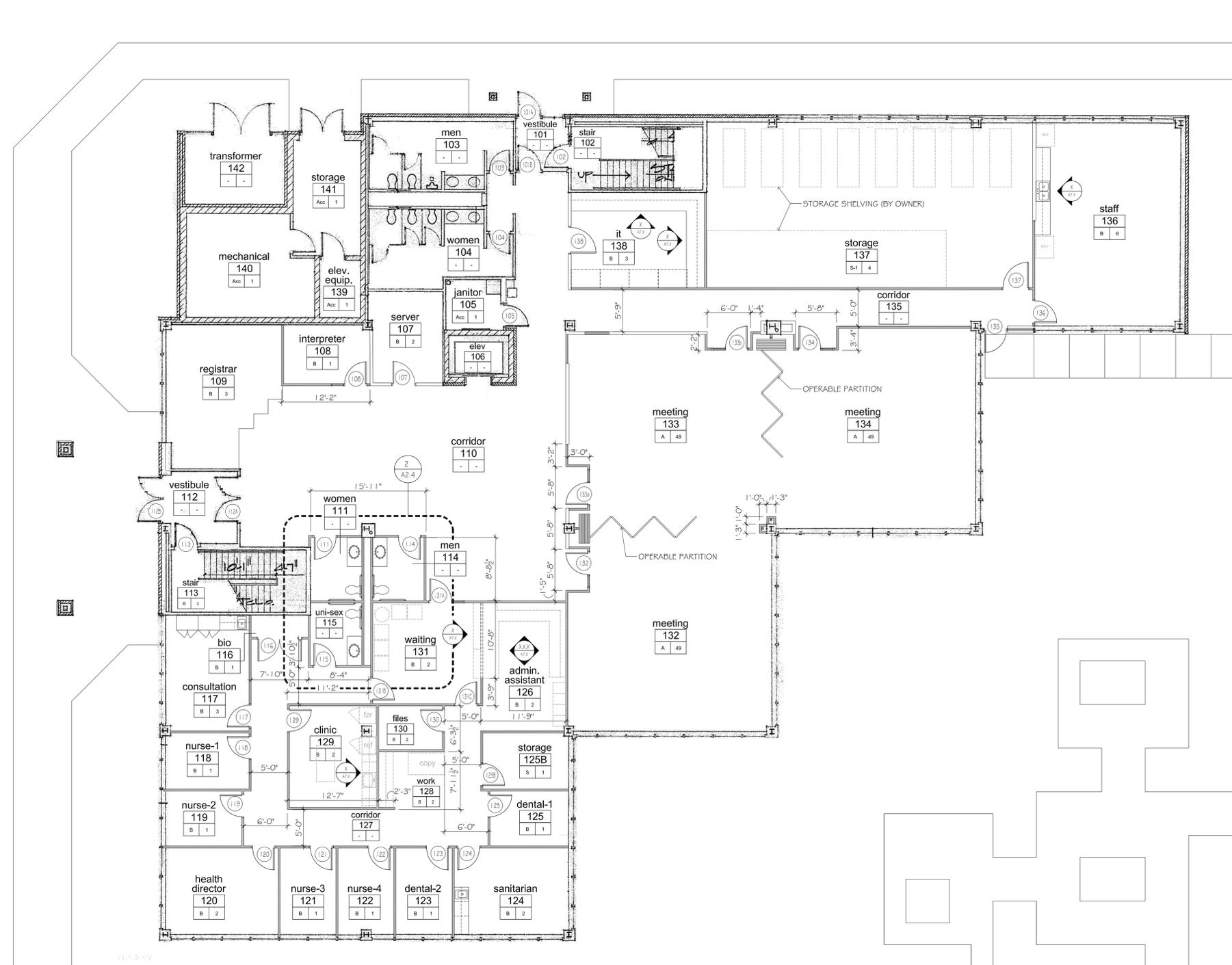
100 MAIN STREET

SUMMARY OF BASIC LEASE INFORMATION

This Summary of Basic Lease Information (the "Summary") is hereby incorporated by reference into and made a part of the attached Lease Agreement. Each reference in the Lease Agreement to any term of this Summary shall have the meaning as set forth in this Summary for such term. In the event of a conflict between the terms of this Summary and the Lease Agreement, the terms of the Lease Agreement shall prevail. Any initially capitalized terms used herein and not otherwise defined herein shall have the meaning as set forth in the Lease Agreement.

TERMS OF LEASE (References are to the Lease Agreement)	DESCRIPTION
1. Dated as of:	[TBD], 2017
2. Landlord:	MENASHA JOINT SCHOOL DISTRICT
3. Address of Landlord:	Attention: Brian A. Adesso, CSRM Director of Business Services 328 Sixth Street P.O. Box 360 Menasha, WI 54952
4. Tenant:	CITY OF MENASHA
5. Address of Tenant:	140 Main Street Menasha, WI 54952-3151
6. Leased Premises (Article 1):	
6.1 Leased Premises:	Approximately 14,242 square feet of Rentable Area located on the first (1 st) and second (2 nd) floor of the Building (as defined below), as depicted on <u>Exhibit B</u> attached hereto. Tenant shall be granted access to the server room to store and maintain servers, but the server room shall not be Leased Premises.
6.2 Shared Area	Approximately 6,560 square feet shall be shared office space.
6.3 Building:	The Leased Premises are located in the "Building", a three (3) story Class A office building containing approximately [] rentable square feet, whose address is 100 Main Street, Menasha, Wisconsin 54952.
7. Term (Article 2):	
7.1 Lease Term:	Thirty (30) years.
7.2 Commencement Date:	January 1, 2017.
7.3 Expiration Date:	December 31, 2046.

8. Base Rent (Article 3):		
<u>Period of Lease Term</u>	<u>Annual Base Rent</u>	<u>Monthly Installment of Base Rent</u>
[TBD]-[30 years]	\$70,088.00	\$5,840.66
9. Parking Lot (Section 22.15):	Landlord and Tenant shall each have the right to park in the parking lots servicing the building, including the Building West lot and the Building North lot as defined in the lease.	



1 first floor plan
 1/8" = 1'-0"
 NORTH

VISUAL DISPLAY UNIT LEGEND

VDB1	SMART BOARD (SUPPLIED & INSTALLED BY OWNER)
VDB2	4x10' WHITE MARKER BOARD
PS1	PROJECTION SCREEN - 53" H X 69" W
PS2	PROJECTION SCREEN - 73" H X 96" W
TV1	WALL MOUNTED TV - (SUPPLIED & INSTALLED BY OWNER)



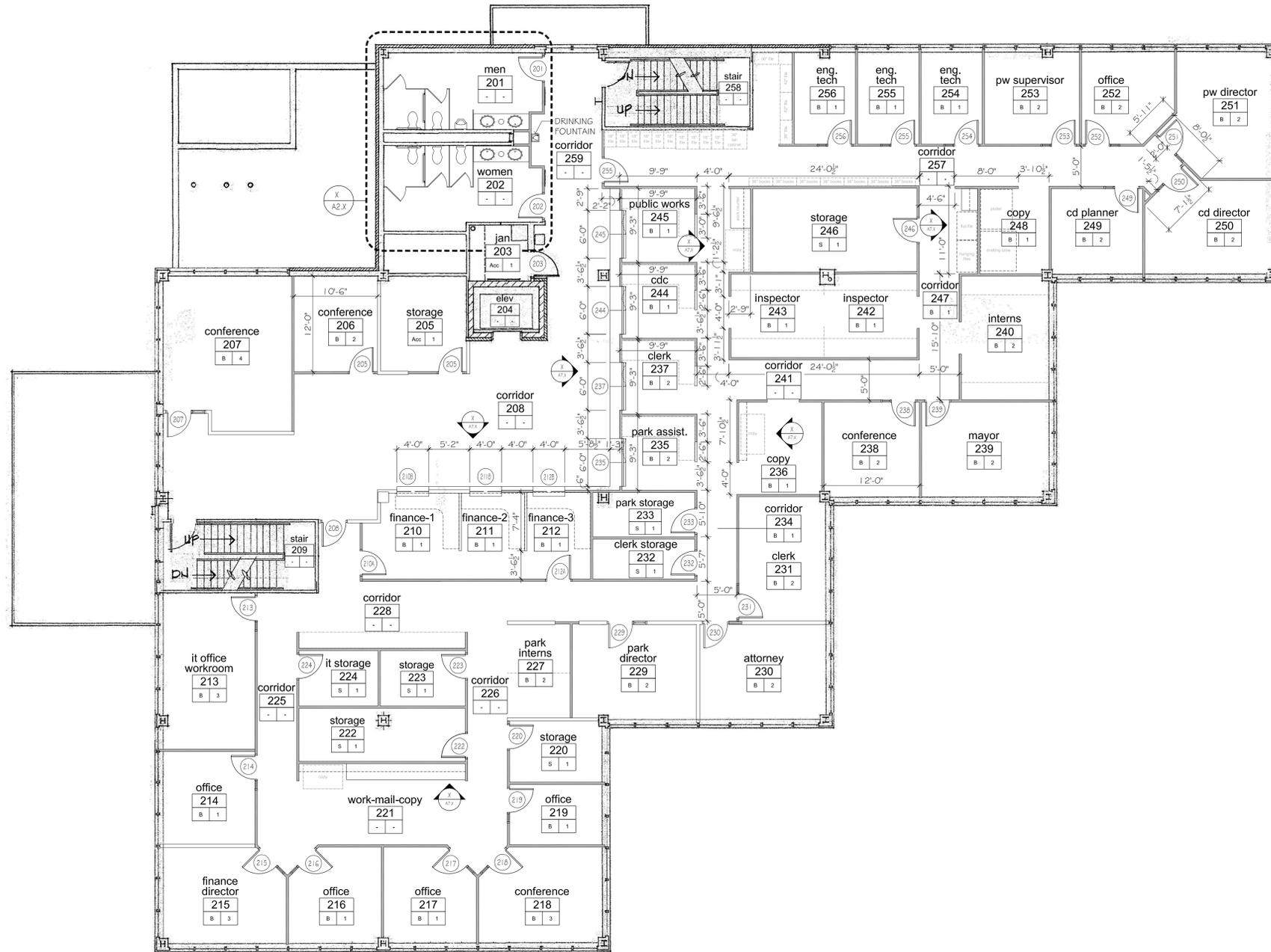
blue design group, llc.
 202 West Main, PO Box 357
 Horonville, WI 54944
 Phone: (920)79-0521
 Fax: (920)79-0521



Building Alteration for:
Menasha Joint School District Office Building
 100 Main Street
 Menasha, Wisconsin 54952

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PROJECT #	16-009
DATE	9-26-16
REVISION	DATE
DRAWING #	A2.1



1 second floor plan
 1/8" = 1'-0"
 NORTH

VISUAL DISPLAY UNIT LEGEND

VDB1	SMART BOARD (SUPPLIED & INSTALLED BY OWNER)
VDB2	4x10' WHITE MARKER BOARD
PS1	PROJECTION SCREEN - 53" H X 69" W
PS2	PROJECTION SCREEN - 73" H X 96" W
TV1	WALL MOUNTED TV - (SUPPLIED & INSTALLED BY OWNER)



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 202 West Main, PO Box 357
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PROJECT #	16-009B
DATE	9-26-16
REVISION	DATE
DRAWING #	A2.2