

**SUPPLEMENTAL AGREEMENT NO. 4  
AMENDING  
DEPARTMENT OF THE ARMY  
INTERIM LEASE NO. DACA05-1-21-508  
UNDER BASE REALIGNMENT AND CLOSURE (BRAC)  
FOR THE  
FORMER RIVERBANK ARMY AMMUNITION PLANT (RBAAP)  
STANISLAUS COUNTY, CALIFORNIA**

**THIS SUPPLEMENTAL AGREEMENT NO. 4** is made and entered into by and between the **SECRETARY OF THE ARMY**, on behalf of the United States of America (hereafter the “Lessor”), and the **CITY OF RIVERBANK**, (hereafter the “Lessee”).

**RECITALS**

**WHEREAS**, on April 1, 2021, Lessor and Lessee entered into that certain Army Interim Lease No. DAC05-1-21-508, under authority of Title 10, United States Code, Section 2667 for the RBAAP, Stanislaus County, CA (hereinafter the “Lease”); and

**WHEREAS**, on July 22, 2021, Lessor and Lessee entered into that certain Supplemental Agreement No. 1 to Department of the Army Interim Lease No. DACA05-1-21-508; and

**WHEREAS**, on August 15, 2022, Lessor and Lessee entered into that certain Supplemental Agreement No. 2 to Department of the Army Interim Lease No. DACA05-1-21-508; and

**WHEREAS**, on September 27, 2023, Lessor and Lessee entered into that certain Supplemental Agreement No. 3 to Department of the Army Interim Lease No. DACA05-1-21-508; and

**WHEREAS**, Condition No. 3 of the Interim Lease allows the Lessee to exercise up to three one-year options to extend the term of the Interim Lease past its original expiration date of March 31, 2024 provided the Lessee is in full compliance with the terms of the Interim Lease and written notice of the Lessee’s election to exercise each option is given at least ninety days prior to expiration of the current term; and

**WHEREAS**, the Lessee provided written notice of intent to exercise the second option via letter dated December 1, 2023, and the BRAC Office is willing and authorized to extend the lease for one additional year; and

**WHEREAS**, the Lessee has worked in good faith since receipt of notice from U.S. Army Corps of Engineers (USACE), Sacramento District, Real Estate Contracting Officer via letter dated October 13, 2023 to cure outstanding property tax liens for the Leased Premises to the satisfaction of the taxing authority pursuant to Interim Lease Condition No. 34 (“Taxes”) and is now in full compliance with all terms of the Interim Lease;

SUPPLEMENTAL AGREEMENT NO. 4  
TO DEPARTMENT OF THE ARMY  
INTERIM LEASE NO. DACA05-1-21-508

**NOW THEREFORE**, Lease No. DACA05-1-21-508 is modified in the following particulars, but no others:

The term under Condition No. 3 is hereby extended for one additional year with a new expiration of March 31, 2025. A single one-year options remains.

Said Lease is amended in the above particulars only. All other terms and conditions of the Lease shall remain in full force and effect and this Supplemental Agreement No. 4 shall henceforth be considered a part of the said Lease as if fully and completely written therein.

**IN WITNESS WHEREOF**, I have hereunto set my hand by authority of the Secretary of the Army this \_\_\_\_\_ day of \_\_\_\_\_ 2024.

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

ADAM B. OLSON  
Chief, Real Estate Division  
Real Estate Contracting Officer  
USACE Sacramento District

This Supplemental Agreement No. 4 to Interim Lease No. DACA05-1-21-508 is hereby executed by the Lessee this 8<sup>th</sup> day of August 2024.

By: *Marisela H. Garcia*

MARISELA H. GARCIA  
City Manager  
City of Riverbank