

THIRD AMENDMENT TO THE LEASE AGREEMENT

PARTIES

This third Amendment to the Lease Agreement (“Amendment”) is entered into between San José Unified School District (“District”) and **Children’s Health Council** (“Tenant,” collectively the “Parties”).

RECITALS

WHEREAS, District and Tenant entered into a Lease Agreement (“Agreement”) for **Non-Public School Purposes** at the **Cory School Site**, on or about December 9, 2016, for certain real property located at **2280 Kenwood Avenue**, in the City of San José, Santa Clara County, California (“Lease”); and

WHEREAS, District and Tenant entered into with a subsequent amendment on or about August 13, 2020, identified as (“Amendment 1”) to extend the terms of the Agreement for an additional five-year term for July 1, 2020-June 30, 2025 and amended the total rental rates; and

WHEREAS, District and Tenant entered into with a subsequent amendment on or about November 15, 2021, identified as (“Amendment 2”) to temporarily amend the Lease rent rate in accordance with the Board of Education approved item N.3 from the May 27, 2021, Regular Session Board Meeting for July 1, 2021-June 30, 2022; and

WHEREAS, District and Tenant desire to amend the Lease to extend terms for an additional (1) six-month term per Section 2 Terms; and

WHEREAS, District and Tenant desire to amend the Rent and Utility Pro-Rata rate for July 1, 2025 to December 31, 2025,

NOW THEREFORE, in consideration of the mutual promises and covenants set forth above and contained herein, District and Tenant agree as follows:

AGREEMENT

1. Add Section 2.B.ii: Second Extended Term: July 1, 2025 to December 31, 2025.
2. Amend Section 5. Rent: Amend the Rent (Building Lease and Pro-Rata) amount to fifty-eight thousand four hundred ninety-four dollars and ninety-eight cents (\$58,494.98) per month for July 1, 2025 to December 31, 2025.
3. Amend Section 5.B.(iv): Amend the District’s Utility Pro Rata cost as of the Commencement Date(s) of the Second Extended Term (July 1, 2025-December 31 2025) herein to \$6.69/SF/yr.
4. Add Exhibit “C” Pro-Rata Share and FMV Use Fee: Add **Exhibit C** per **Attachment 1**.
5. Except as set forth in this Amendment, all provisions of the Lease and any previous extension(s) and/or amendment(s) thereto shall remain unchanged, in full force and effect, and are reaffirmed. This Amendment shall control over any inconsistencies between it and the Lease and/or any previous extension(s) and/or amendment(s).
6. Lessee acknowledges and agrees that this Amendment shall not be binding on the Parties until and unless the San José Unified School District’s Board of Education approves this Amendment.

IN WITNESS WHEREOF, the parties hereto have accepted and agreed to this Amendment on the later date indicated below.

Dated:

Dated: 10/9/2025

SAN JOSÉ UNIFIED SCHOOL DISTRICT

Children's Health Council

By:

By:

Signed by:


Name: Tracy Morrison
Title: Director, Procurement

Name: Maeve Richard
Title: Chief Operating Officer

Initial


**Attachment 1
Exhibit "C"**

Pro-Rata Share and FMV Use Fee

Exhibit B: PRO-RATA SHARE AND FMV USE FEE

Children's Health Council Cory Site 2025-2026
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[A] Dedicated Spaces (exclusive use)	Square Footage
Building 300	2,244
Building 400	2,976
Building 500	7,285
Building 600	7,285
Subtotal of Dedicated Spaces	19,790
[B] Shared Spaces	Square Footage
n/a	0
Subtotal of Shared Spaces	0
[A+B] Total Space	Square Footage
Sum of dedicated and shared spaces	19,790

[D] Pro Rata Share (per square foot per year)	Rate	Square Feet	Subtotal
Routine Maintenance	\$0.00	19,790	\$0.00
Custodial	\$0.00	19,790	\$0.00
Grounds	\$0.97	19,790	\$19,196.30
Aquatics - Pool	\$0.00	19,790	\$0.00
Security Monitoring	\$0.31	19,790	\$6,134.90
Furniture Replacement	\$0.00	19,790	\$0.00
Natural Gas and Electricity	\$2.12	19,790	\$41,954.80
Solar	\$1.25	19,790	\$24,737.50
Water	\$0.73	19,790	\$14,446.70
Sewer	\$0.11	19,790	\$2,176.90
Trash	\$0.17	19,790	\$3,364.30
Data Network	\$0.00	19,790	\$0.00
Hazardous Substance	\$0.04	19,790	\$791.60
Insurance Package	\$0.53	19,790	\$10,488.70
Property Self-insured	\$0.40	19,790	\$7,916.00
Safety	\$0.06	19,790	\$1,187.40
Total	\$6.69	19,790	\$132,395.10

[E] Building Lease (per square foot per year)	Rate	Square Feet	Subtotal
Building Lease	\$28.78	19,790	\$569,544.72

[D+E] Total Cost	Amount
Annual (sum of pro rata share and building lease)	\$701,939.82
Monthly (annual divided by 12)	\$58,494.98