

Soccer Fields Lease Extension Agreement

This Lease Extension Agreement (this “**Extension Agreement**”), is made effective as of January 1, 2023 (the “**Extension Effective Date**”) by and between the **Town of Yorktown, Indiana** (“**Lessor**”), and **Delaware County Futbol Club**, an Indiana not-for-profit entity with a principal address at 4319 W Clara Lane #261, Muncie, IN, 47304 (“**Lessee**”), collectively “**Parties,**” with respect to the Lease for Soccer Fields entered into between the Parties with an effective date of December 15, 2008, (the “**Lease**”). Terms used in this Extension Agreement with initial letters capitalized shall have the meaning attributed to them in the Lease unless otherwise specified.

WHEREAS, the Parties have previously entered into the Lease for real estate located in the Town of Yorktown, Delaware County, Indiana, more particularly described on “Exhibit A” attached hereto (“**Land**”); and

WHEREAS, Lessee was referred to as “Delaware County Soccer” in the Lease but is the entity referred to in this Extension Agreement as “Lessee”; and

WHEREAS, Lessee currently operates a youth soccer program at the Land and has, since the end of the term of the Original Lease, continued to lease the Land from Lessor on a month-to-month basis; and

WHEREAS, the Land does not currently have Facilities (as defined below), and Lessor desires Lessee construct Facilities upon the land; and

WHEREAS, the Parties desire to extend and amend the terms of the Lease under the terms and conditions contained herein; and

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, and upon the terms and conditions and mutual promises contained herein, Lessor and Lessee hereby agree as follows:

1. **Incorporation of Recitals.** Each of the foregoing recitals are incorporated herein by reference and made a part hereof.
2. **Renewal.** The terms and conditions of the Lease shall be incorporated herein by reference and made a part hereof, subject to the modifications described herein. All other terms and conditions of the Lease shall remain in full force and effect and applicable to each term of this Extension Agreement with the exception of those provisions which are specifically altered by the terms of this Extension Agreement.

3. **Lease.** Lessor hereby leases to Lessee and Lessee hereby leases from Lessor the Land for the sum of one dollar (\$1.00) per calendar year during the term of this Extension Agreement, payable on July 1 of each year (“**Rent**”). Rent may be paid in advance.
4. **Term.** The term of the Lease shall be for a period of twenty (20) years, commencing on the Extension Effective Date.
5. **Construction of Facilities.** Lessee shall provide a reasonable, good-faith proposal to Lessor on or before December 31, 2023, describing Lessee’s plan to construct upon the Land public restrooms and storage facilities (“**Facilities**”). Before beginning construction of Facilities, Lessee shall obtain written approval from Lessor, whose approval shall not be unreasonably withheld. If Lessor reasonably denies Lessee’s proposal, Lessee shall submit subsequent proposals within one hundred twenty (120) days of a Lessor denial until Lessor accepts Lessee’s proposal. If Lessor fails to submit a reasonable proposal before December 31, 2024, Lessor may terminate this Extension Agreement after six (6) months’ advance notice to Lessee in writing. Upon Lessor’s acceptance of Lessee’s proposal, the Parties shall consult with each other to determine the amount of Lessor’s financial contribution to the construction. Lessor shall financially contribute a portion of the cost of the construction of Facilities and shall retain 100% ownership of the Facilities.
6. **Ownership.** Lessor shall remain the owner of the Land, the Facilities, and all other improvements thereon at all times during the term of this Extension Agreement. Lessee shall retain the right to use parking available at the Yorktown Sports Complex in conjunction with other users.

IN WITNESS WHEREOF, the parties have executed this Extension Agreement as of the day and year first written above.

Town of Yorktown, Indiana (Lessor)

Delaware County Futbol Club (Lessee)

By: _____

By: _____

Name: _____

Name: _____

Title: _____

Title: _____