

# Yakima Area Arboretum Agreement Extension

This EXTENSION AGREEMENT is between the City of Yakima, located at 129 North Second Street, Yakima, WA 98901 and the Yakima Area Arboretum, located at 1401 Arboretum Drive, Yakima, Washington, 98901 and collectively, referred to as the "Parties" for and in consideration of the mutual covenants therein and herein contained.

WHEREAS, the Parties entered into an Agreement on or about May 14, 1991 (hereinafter referred to as the "Original Agreement"), which outlined the terms and conditions for the operation of the City's arboretum property by the Yakima Area Arboretum, a non-profit corporation which has a term ending on May 24, 2021; and

WHEREAS, the Parties entered into an extension of that Agreement which extended the terms and conditions thereof until August 3, 2021; and

WHEREAS, the Parties are currently working together on a long-term operation and maintenance agreement for the arboretum property and need more time finalize such long-term agreement; and

WHEREAS the Parties hereby agree to extend the term of the Original Agreement in accordance with the terms of the Original Agreement and amendment thereof, as well as the terms provided herein to accommodate the continued discussions on a new operation and maintenance agreement for the Yakima Area Arboretum to maintain and operate the City's arboretum property; now, therefore,

The Parties agree as follows:

- The Parties agree to extend the Original Agreement's term to October 6, 2021, or until a new operations and maintenance agreement has been signed, whichever comes first.
- The Parties agree that if a new agreement regarding the operation and maintenance of the arboretum property is not signed by **October 6, 2021**, and the Parties have not otherwise agreed to an extension, the Original Agreement shall terminate.
- All other terms, covenants and conditions of the Original Agreement shall continue in full force and effect throughout the extended term.

**CITY OF YAKIMA**

**YAKIMA AREA ARBORETUM**

\_\_\_\_\_  
Robert Harrison, City Manager

\_\_\_\_\_  
Colleen Adams- Schuppe, Executive Director

Date: \_\_\_\_\_

Date: \_\_\_\_\_

STATE OF WASHINGTON            )  
  ) ss.  
County of Yakima                    )

On this \_\_\_\_ day of \_\_\_\_\_, 2021, I certify that I know or have satisfactory evidence that Colleen Adams-Schuppe is the Executive Director of the Yakima Area Arboretum, and acknowledged that they are authorized to execute the foregoing instrument for and on behalf of the Yakima Area Arboretum and said person acknowledged that they signed this instrument and acknowledged it on behalf of Yakima Area Arboretum for the uses and purposes mentioned in the instrument.

\_\_\_\_\_  
NOTARY PUBLIC in and for the State of  
Washington, residing at: \_\_\_\_\_  
My commission expires: \_\_\_\_\_

STATE OF WASHINGTON            )  
  ) ss.  
County of Yakima                    )

On this \_\_\_\_ day of \_\_\_\_\_, 2021, I certify that I know or have satisfactory evidence that Robert Harrison, is the City Manager of the City of Yakima and acknowledged that they are authorized to execute the foregoing instrument for and on behalf of the City of Yakima and said person acknowledged that they signed this instrument and acknowledged it on behalf of the City of Yakima for the uses and purposes mentioned in the instrument.

\_\_\_\_\_  
NOTARY PUBLIC in and for the State of  
Washington, residing at: \_\_\_\_\_  
My commission expires: \_\_\_\_\_