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**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

FROM: Department of Facilities Management

SUBMITTAL DATE:
February 14, 2005

SUBJECT: SUBORDINATION, NON-DISTURBANCE AND ATTORNMENT AGREEMENT –
DEPARTMENT OF PUBLIC SOCIAL SERVICES, MORENO VALLEY

Departmental Concurrence

RECOMMENDED MOTION: That the Board of Supervisors approve the attached Subordination, Non-Disturbance and Attornment Agreement and authorize the Chairman to execute same on behalf of County.

BACKGROUND: The County of Riverside and NNN Tech Fund III, LLC, entered into a lease agreement for the purpose of providing office space in Moreno Valley for the Department of Public Social Services Staff Development Department. The leased facility is located at 22690 Cactus Avenue, Suite 195, 250, 295, and Suite 300, Moreno Valley, California.

MJS:LGH:ss
9.349

Michael J. Sylvester
MICHAEL J. SYLVESTER, Director
Department of Facilities Management

FINANCIAL DATA	Current F.Y. Total Cost:	\$0	In Current Year Budget:	N/A
	Current F.Y. Net County Cost:	\$0	Budget Adjustment:	No
	Annual Net County Cost 04/05:	\$0	For Fiscal Year:	03/04

SOURCE OF FUNDS: N/A	Positions To Be Deleted Per A-30	<input type="checkbox"/>
	Requires 4/5 Vote	<input type="checkbox"/>

C.E.O. RECOMMENDATION: APPROVE
Lisa Brandl
County Executive Office Signature

- Policy
- Policy
- Consent
- Consent
- Dep't Recomm.:
- Per Exec. Ofc.:

COUNTY OF RIVERSIDE
02 NOV - 11 5: 22
OFFICE
3002 NOV 18 11: 38
CLERK OF THE COUNTY

Prev. Agn. Ref.: | District: 5 | Agenda Number:

ATTACHMENTS FILED
WITH THE CLERK OF THE BOARD

3.9

BOARD OF SUPERVISORS

Form 11: SUBORDINATION, NON-DISTURBANCE AND ATTORNMENT
AGREEMENT – DEPARTMENT OF PUBLIC SOCIAL SERVICES,
MORENO VALLEY

February 14, 2005

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BACKGROUND: (Continued)

To facilitate the refinance of this property for NNN Tech Fund III, LLC, Union Bank of California N.A. ("Lender") has requested the County of Riverside and NNN Tech Fund III, LLC to execute the following documents regarding the leased property:

Subordination, Non-Disturbance and Attornment Agreement: By execution of this agreement, the County agrees to subordinate its leasehold estate to the liens in favor of the Lender which shall have no effect on prospective rights and obligations of the county or the Lender as set forth in the Lease. In addition, in the event the Lender or its successor becomes the Landlord, the County will recognize (attorn) the Lender or its successor as Landlord and the County's rights and obligations shall remain the same (not disturbed) as set forth in the Lease for the remainder of the Lease term.

County Counsel has reviewed and approved the attached documents as to form.