

825



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

FROM: Department of Facilities Management

SUBMITTAL DATE:
February 26, 2009

SUBJECT: Subordination, Non-Disturbance Agreement, Community Health Agency

RECOMMENDED MOTION:

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

BACKGROUND: (Commences on Page 2)

Robert Field, 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:	N/A
	Annual Net County Cost:	\$ 0	For Fiscal Year:	N/A

SOURCE OF FUNDS: Not Applicable	Positions To Be Deleted Per A-30	<input type="checkbox"/>
	Requires 4/5 Vote	<input type="checkbox"/>

C.E.O. RECOMMENDATION:

APPROVE

BY:
Jennifer L. Sargent

County Executive Office Signature

FORM APPROVED COUNTY COUNSEL
BY: *Synthia M. Gunzel* 3-11-09
SYNTHIA M. GUNZEL, COUNTY CLERK

- Policy
- Policy
- Consent
- Consent

Dep't Recomm.:
Per Exec. Ofc.:

Prev. Agn. Ref.: 4/22/08 3.15 | District: 4 | Agenda Number:

ATTACHMENTS FILED
WITH THE CLERK OF THE BOARD

3.12

Department of Facilities Management
Subordination, Non-Disturbance Agreement, Community Health Agency
February 26, 2009
Page 2

BACKGROUND:

The County of Riverside and Garmont Industries, LLC, Lessor, entered into a Lease Agreement for the purpose of providing office space for the Community Health Agency in the facility located at 554 Paseo Dorotea, in Palm Springs. To facilitate the financing of this property, the Lender has requested the execution of this agreement by the County and Lessor.

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 legal form.

FINANCIAL DATA:

There are no costs associated with this Form 11.