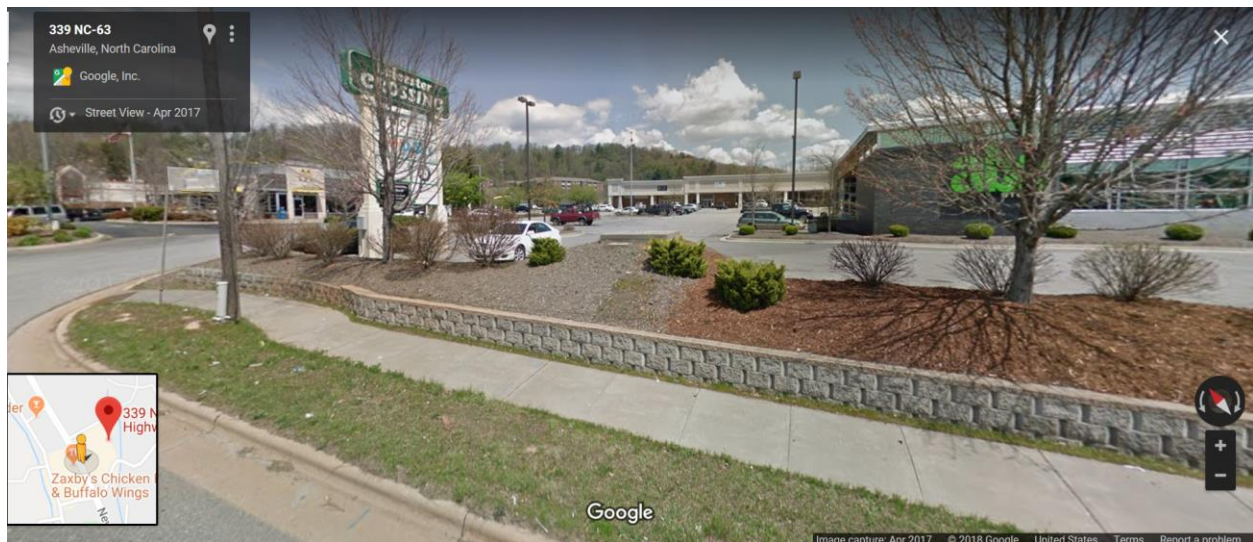


To: George A. Wood, Interim County Manager
From: Buncombe County Legal Department
Date: October 9, 2018
Re: Amendment to Option Lease with Land of Sky for Leicester Crossing Unit 4

MEMORANDUM

On January 8, 2008, Buncombe County and the Land of Sky Regional Council (LOS) entered into a Lease and Purchase of Commercial Real Property Agreement for Unit 4 of Leicester Crossing (said Unit consisting of approximately 14,670 square feet of the approximately 32,272 square foot building known as the Leicester Crossing Center located at 339 new Leicester highway, Asheville, NC 28806 (Google Street View of Leicester Crossing depicted below)).



Since the execution and modification of the original agreement, the amount of space occupied and used by LOS changed. In short, the County desired to allow the Buncombe County Sheriff's Office to use a portion of LOS's unused space for evidence storage, which it did. LOS has not made payments since July of 2015 because the County and LOS have been in negotiations concerning this change in division and use of the premises.

This proposed Amendment would have LOS pay a lump sum of \$368,574.12 to the County, which would make LOS current on its payments, and would alter LOS's bi-annual payments at a pro-rated amount consistent with the space it now occupies. Additionally, the proposed Amendment would more accurately account for ongoing maintenance and utilities.