

FIRST AMENDMENT TO LEASE AGREEMENT

This First Amendment to Lease Agreement is being made this 7th day of July 2008, between Montgomery County, Maryland, a body corporate and politic and a political subdivision of the State of Maryland ("County") and Robert B. Harney ("Caretaker") (The County and the Caretaker together the "Parties.").

WHEREAS, the Parties entered into a Renovation and Caretaker Lease Agreement dated October 23, 2003 (the "Lease") for premises described as Twenty (20) acres of land and several structures located at 20130 Wasche Road, Dickerson, Montgomery County, Maryland (the "Premises"); and

WHEREAS, the Lease Term expires on October 22, 2008; and

WHEREAS, the Caretaker has been on a month-to-month tenancy; and

WHEREAS, the Parties desire to amend the Lease by extending the term of the Lease for an additional Five (5) year period;

WHEREAS, Susan T. Paro, has jointly assisted Robert B. Harney, Caretaker, with the renovation, repairs, finances, and maintenance of the Property, the Parties desire to amend the Renovation and Caretaker Lease by adding Susan T. Paro, as an additional Caretaker,

NOW THEREFORE, for the mutual promises herein contained and for other valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereby agree as follows:

1. Definitions. Unless otherwise set forth in this First Amendment to Renovation and Caretaker Lease, all capitalized terms shall have the same meanings as set forth in the Lease.
2. Term. Section 2 of the Renovation and Caretaker Lease is hereby amended by adding the following to the end of the Section as a new paragraph,

"The Lease Term shall hereby be extended for a period of five (5) years, commencing October 23, 2008 and expiring, unless sooner terminated pursuant to the terms of the Lease, on October 22, 2013 (the "Extended Term"), upon the same terms and conditions as the Lease currently in effect, except as otherwise set forth below. In accordance with this First Amendment to Lease Agreement, the Caretaker may extend the Term for one (1) Five (5) year period provided the Caretaker is not in default of any provisions of the Lease".

3. Caretaker. The First Paragraph of The Renovation and Caretaker Lease is hereby amended by adding Susan T. Paro as an additional Caretaker;

4. Initial Repairs, Renovations, and Capital Improvements. Section 8 of the Renovation and Caretaker Lease is hereby amended by adding the following renovation and repair items sited by the Historic Preservation Commission as listed in Exhibit A of this First Amendment of the Renovation and Caretaker Lease. Caretakers shall complete these items in a timely manner.

5. Mail Notices. Section 28 of the Lease is hereby amended by deleting the County's and Caretaker's Addresses in its entirety and adding the following in lieu thereof:

"COUNTY": Montgomery County, Maryland
 Department of General Services
 Office of Real Estate
 101 Monroe Street, 10th Floor
 Rockville, Maryland 20850
 Attn: Director, Office of Real Estate

With a copy, that does not constitute Notice to:

Montgomery County, Maryland
Office of the County Attorney
101 Monroe Street, 3rd Floor
Rockville, Maryland 20850"
Attn: County Attorney

"CARETAKERS": Robert B. Harney
 Susan T. Paro
 20130 Wasche Road
 Dickerson, Maryland 20842

SIGNATURE PAGE FOLLOWS

IN WITNESS WHEREOF, the Parties hereto have caused this First Amendment to Lease Agreement to be properly executed.

WITNESS:

THE COUNTY:

MONTGOMERY COUNTY MARYLAND

By: _____

By: Diane R. Schwartz Jones

Diane R. Schwartz Jones, Assistant
Chief Administrative Officer

Date: 7/7/09

WITNESS:

CARETAKERS:

ROBERT B. HARNEY

SUSAN T. PARO

By: _____

By: Robert B. Harney

By: Susan T. Paro

Date: May 12, 2009

APPROVED AS TO FORM & LEGALITY

OFFICE OF THE COUNTY ATTORNEY

RECOMMENDED:

By: Charlea Perry

By: Cynthia L. Brenneman

Cynthia L. Brenneman, Director
Office of Real Estate

Date: 12/11/2008

Date: 12.10.08

CHISWELL PROPERTY
REQUEST FROM HPC

<u>ITEM</u>	<u>COST</u>	<u>COMPLETION TIME</u>
1. Remove 5in. aluminum gutters & 3x4in. aluminum downspouts – replace with 5in. copper gutter and 3in. downspouts.	\$6,220.00	1 Day
2. Install 24 gauge metal standing seam roof over 30 year asphalt shingles.	\$12,500.00	1 Week
3. Remove existing James Hardy siding and replace with Cedar fish-scale shingles on gable ends.	\$4,120.00	3 Days
4. Build a 12in. gable return detail on both sides of addition and add roofing.	\$3,012.00	1 Week
5. Remove existing roof over well.	\$326.00	1 Day
6. Remove decorative block around well and fill in with dirt.	\$566.00	1 Day
7. Remove 2 windows on the original house at the rear and replace with wood windows with divided glass windows to match as close as possible from pictures taken.	\$1,866.00	2 Days/ + time for windows

EXHIBIT A

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|---|-------------|---------|
| 8. Mud Room: remove existing roof, walls, floor system, insulation, concrete footings, stoop, electrical work. Rework front bearing wall, exterior siding, new trim work and painting. | \$22,431.00 | 3 Weeks |
| 9. Sun Room: Remove existing window, knee walls, tex 1-11 siding, electrical work, insulation, add additional support beams for front and back bearing walls, remove support columns on south wall as to line up columns on first floor. Add new wood trim as needed, paint with two coats of paint. Install water proof decking to protect beams on first floor. | \$14,112.00 | 1 Week |

HPC PROPOSAL
(Items not included in Mr. Harney's List)

Rear Elevation: Eliminating the installation of one of the windows on the first floor of the rear façade.

Main House: Filling in and covering the existing stone fireplace and timber mantle with a concrete skim coat and replacing it with a new pine mantel and a wood burning stove.