

(ATTACHMENT 1) ACTION ON A REQUEST TO APPROVE THE SECOND AMENDMENT TO THE LEASE AGREEMENT WITH BANNER DAY LEARNING CORP. AT THE 35TH STREET SCHOOL PROPERTY LOCATED AT 3517 WEST COURTLAND AVENUE

**SECOND AMENDMENT TO LEASE
BETWEEN
THE MILWAUKEE BOARD OF SCHOOL DIRECTORS
AND
BANNER DAY LEARNING CORP.
AT
35TH STREET SCHOOL BUILDING**

THIS SECOND AMENDMENT TO LEASE (“Second Amendment”) is made as of the 25th day of June, 2020, by and between **THE MILWAUKEE BOARD OF SCHOOL DIRECTORS** (hereinafter “the Board”) and **BANNER DAY LEARNING CORP.** (hereinafter “Lessee”).

RECITALS

WHEREAS, the Board and Lessee entered into that certain Lease dated June 28, 2018; and

WHEREAS, the Board and Lessee entered into that certain First Amendment to Lease dated June 27, 2019; and

WHEREAS, the Board and Lessee wish to amend the Lease as set forth below.

NOW, THEREFORE, the parties hereto agree as follows (all capitalized terms used but not defined herein shall have the meaning set forth in the Lease):

1. Section 2 of the Lease is hereby deleted and replaced with the following:
 2. TERM: The term shall commence on July 1, 2020 and will terminate on June 30, 2021, except either party may terminate the lease by providing the other party 60 day written notice of termination. No notice of termination may be given more than 60 days prior to the end of the academic year. Upon termination, Lessee shall vacate the premises in a manner consistent with the terms and conditions of the Lease.
2. Section 5.a of the Lease is hereby deleted and replaced with the following:
 5. RENTAL: Lessee shall pay a rental fee to the Board as follows
 - a. Annual rent of \$102,913 shall be payable in twelve (12) equal monthly payments.
3. Except as modified by this Second Amendment, the Lease shall continue in full force and effect as provided therein.

[Signatures appear on following page]

**Signature Page to Second Amendment of Lease Agreement Between
the Milwaukee Board of School Directors
and
Banner Day Learning Corp.
at
35th Street School Building**

IN WITNESS WHEREOF, the parties hereunto set their hands and seals the day and year first above written.

**LESSOR:
MILWAUKEE BOARD OF
SCHOOL DIRECTORS**

Larry Miller
President
Milwaukee Board of School Directors

Keith P. Posley, Ed.D.
Superintendent of Schools

**LESSEE:
BANNER DAY LEARNING CORP.**

Eric Carlton
President