

**SEVENTH AMENDMENT TO AGREEMENT BETWEEN
TEMECULA COMMUNITY SERVICES DISTRICT AND TEMECULA VALLEY UNIFIED
SCHOOL DISTRICT FOR JOINT USE OF A PORTION OF
TEMECULA ELEMENTARY SCHOOL**

THIS SEVENTH AMENDMENT To Agreement Between the Temecula Community Services District and the Temecula Valley Unified School District for Joint Use of a Portion of Temecula Elementary School is made and entered into as of **August 10, 2021** by and between the Temecula Community Services District, a municipal corporation (hereinafter referred to as "City"), and **the Temecula Valley Unified School District** (hereinafter referred to as "District"). In consideration of the mutual covenants and conditions set forth herein, the parties agree as follows:

1. **RECITALS TO SEVENTH AMENDMENT.** This SEVENTH Amendment is made with respect to the following facts and for the following purposes, each of which is acknowledged as true and correct by the parties:

a. On December 10, 1996, the City and the District entered into that certain agreement entitled "Agreement between the Temecula Community Services District and Temecula Valley Unified School District for the Joint Use of a Portion of Temecula Elementary School ("1996 Agreement").

b. On August 26, 1997, the City and the District entered into that certain First Amendment to the 1996 Agreement ("First Amendment"). Pursuant to said First Amendment, the parties set forth certain improvement and maintenance obligations of the City with respect to the City's joint use of a portion of Temecula Elementary School.

c. On October 21, 2003, the City and the District entered into that certain Second Amendment to the 1996 Agreement ("Second Amendment"). Pursuant to the Second Amendment, the City and District amended Section 4, titled "Apportionment of Use of Property by City and District", to provide for greater use of the pool by the City, and to set forth the obligations of the parties regarding apportionment of the use of a portion of the Temecula Elementary School. The Second Amendment also set forth the respective maintenance obligations of the parties regarding said portion of the Temecula Elementary School.

d. On April 24, 2018, the City and the District entered into that certain Third Amendment to the 1996 Agreement ("Third Amendment") extending the term to December 31, 2018.

e. On December 11, 2018, the City and the District entered into that certain Fourth Amendment to the 1996 Agreement ("Fourth Amendment") extending the term to December 31, 2019.

f. On December 18, 2019, the City and the District entered into that certain Fifth Amendment to the 1996 Agreement ("Fifth Amendment") extending the term to December 31, 2020.

g. On March 9, 2021, the City and the District entered into that certain Sixth Amendment to the 1996 Agreement ("Fifth Amendment") extending the term to June 30, 2021.

h. The 1996 Agreement, as amended by the First, Second, Third, Fourth, Fifth, and Sixth Amendments, is referred to below as the "Agreement".

i. The City and the District wish to enter into this Seventh Amendment to extend the term of the Agreement to June 30, 2023.

2. Section 3 of the Agreement entitled "**TERM**" is hereby amended to read as follows:

"This Agreement shall remain and continue in effect until June 30, 2023, provided, however, that this Agreement may be amended by a writing executed by both parties."

3. Except for the changes specifically set forth herein, all other terms and conditions of the Agreement shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed the day and year first above written.

TEMECULA COMMUNITY SERVICES DISTRICT

TEMECULA VALLEY UNIFIED SCHOOL DISTRICT

(Two Signatures of corporate officers required unless corporate documents authorize only one person to sign the agreement on behalf of the corporation.)

By: _____

Zak Schwank, TCSD President

By: _____

Jodi McClay, Superintendent

ATTEST:

By: _____

Randi Johl, Secretary

APPROVED AS TO FORM:

By: _____

Peter M. Thorson, General Counsel

District

Temecula Valley Unified School District

Attn: Jodi McClay

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**City Purchasing Mgr.
Initials and Date:**