

Resolution Leasing Property for a Term of up to Ten Years

WHEREAS, the County of Durham owns a commercial strip mall called the Shoppes of Hope Valley (SOHV) located at 3825 South Roxboro Road, Durham North Carolina, 27713, which includes Suites/Units which the Board of County Commissioners find are currently surplus to the County's needs; and

WHEREAS, Island Rhythm Cafe, LLC, wishes to lease a portion of the SOHV to conduct a café business; and

WHEREAS, the County and Island Rhythm Cafe, LLC, have agreed upon a lease, under which Island Rhythm Cafe, LLC, will lease Suite 134 of the SOHV for the term of Eight years, beginning April 1, 2026; and

WHEREAS, in consideration of leasing Suite 134, Island Rhythm Cafe, LLC, has agreed to pay annual rent of \$32,000, with the rent rising by 3% each year, plus its share of the Common Area and Property Operating Expenses, as determined annually, and the County agreeing to provide an upfit allowance of up to \$32,000, and defer the commencement of rent for Six months; and

WHEREAS, North Carolina General Statutes § 160A-272 and § 153A-176 authorize the County to enter into leases of up to 10 years upon resolution of the Board of County Commissioners adopted at a regular meeting after 30 days' public notice; and

WHEREAS, the required notice has been published and the Board of County Commissioners is convened in a regular meeting;

THEREFORE, THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF DURHAM RESOLVES THAT:

The Board of County Commissioners hereby approves lease of the County property described above to Island Rhythm Cafe, LLC, for Eight years, and authorizes the County Manager to execute this lease, and any instruments necessary to this lease, consistent with the material terms of the existing leases and as approved by the County Attorney's Office.

Adopted, this the ____ day of March, 2026.