

SUPPLEMENTAL AGREEMENT NO. 3  
TO  
LEASE NO. DACW29-1-81-44

WHEREAS, on September 1, 1981, Lease No. DACW29-1-81-44 was entered into between the Government, as Grantee, and executed by the St. Charles Parish Department of Recreation, as Grantee for a public park and recreational purposes located in the Bonnet Carre Spillway, St. Charles Parish, Louisiana.

WHEREAS, by Amendment No. 1 effective 28 October 1986 was modified to reduce the original area from 68 acres to 28 acres and add Conditions 18 and 19, requiring St. Charles Parish to maintain the primitive recreation, mow and maintain all grass in a safe and acceptable manner, collect and appropriately remove trash from the site and mark the boundary of the leased area with signs stating that the area is leased by St. Charles Parish; and

WHEREAS, the lease expired on 31 August 2001, and St. Charles Parish wishes to continue the use of the area for a public park and recreational purposes as described in Lease No. DACW29-1-81-44 and Amendment No. 1; and

WHEREAS, it will be necessary for St. Charles Parish to execute a new lease to continue to provide for the park and recreational purposes as required by ER 405-1-12, paragraphs 8-87.c and 8-98; and

WHEREAS, there was insufficient time to process a new lease, prior to expiration of the current lease; and

WHEREAS, Supplemental Agreement No. 2 extended Lease No. DACW29-1-81-44, from 1 September 2001 to 1 March 2002, in order to allow time to process a new lease.

WHEREAS, St. Charles Parish is agreeable to execution of a new lease to replace Lease No. DACW29-1-81-44, which has not yet been completed; and

WHEREAS, a supplemental agreement may extend the term of a lease, but not in lieu of or to avoid a renewal action pursuant to ER 405-1-12, paragraph 8-87.c and

WHEREAS, it is agreeable to the Secretary of the Army to extend the lease.

THEREFORE, Lease No. DACW29-1-81-44, is extended for an additional six-month period effective 1 March 2002, through 31 August 2002, under the same terms and conditions described therein, and Amendment No. 1, to allow for the preparation of a new lease. If the new lease, replacing Lease No. DACW29-1-81-44, is executed prior to execution of this temporary extension, this supplemental agreement becomes null and void.

IN WITNESS WHEREOF, I have hereunto set my hand by authority of the Secretary of the Army this \_\_\_\_\_ day of \_\_\_\_\_ 2002.

WILLIAM C. LEWIS, JR.  
Chief, Real Estate Division  
U. S Army Engineer District  
New Orleans

APPROVED AS TO LEGAL SUFFICIENCY:

Marco Rosamano

MARCO ROSAMANO  
ATTORNEY ADVISOR  
U. S. Army Engineer District  
New Orleans

The above amendment is hereby accepted this 7<sup>th</sup> day of May 2002.

Witnesses:

Barbara J. Jacob  
Chlarie Berthelot

St Charles Parish Department  
of Recreation

By: Albert D. Lopez

Title: Parish President