

**DEPARTMENT OF THE ARMY
SUPPLEMENTAL AGREEMENT NO. 1
to
LEASE NO. DACW21-1-17-0036
BIG WATER MARINA
HARTWELL LAKE PROJECT
ANDERSON COUNTY, SOUTH CAROLINA**

WHEREAS, on October 2, 2017, the **Secretary of the Army**, acting for and on behalf of the United States of America, as Secretary, did grant Lease No. DACW21-1-17-0036 to **Big Water Marina, LLC**, for commercial concession purposes, at Hartwell Lake Project consisting of 49 acres, more or less, for a term of twenty-five (25) years, beginning July 1, 2017, and ending June 30, 2042; and

WHEREAS, Condition No. 6.b. was omitted from Lease No. DACW21-1-17-0036; and the Joint Survey and Inspection of Condition of Government Leased Property and Inventory Report was not attached as an Exhibit to the Lease dated October 2, 2017 under Condition No. 6 Condition of Premises; and

WHEREAS, it is the desire of the parties to add the Joint Survey and Inspection of Condition of Government Leased Property and Inventory Report to the Lease as Exhibit "C";

NOW THEREFORE, in consideration of the mutual benefits to be derived by the parties hereto, Lease No. DACW21-1-17-0036 is hereby amended in the following particulars, but no others, effective upon date of execution by the United States;

1. Add Condition No. 6.b.:

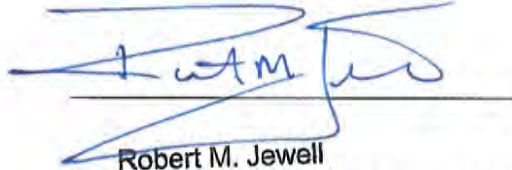
"b. As of the date of this Lease, an inventory and condition report of all personal property and improvements of the United States included in this lease shall be made by the Real Estate Contracting Officer and of the Lessee to reflect the condition of said property and improvements. A copy of said report is attached hereto as EXHIBIT "C" and made a part hereof. Upon the expiration, revocation, or termination of this lease, another inventory and condition report shall be similarly prepared. This report shall constitute the basis for settlement for property damaged or destroyed. Any such property must be either replaced or restored to the condition required by the Condition on PROTECTION OF PROPERTY."

2. All other terms and conditions of this Lease instrument shall remain unchanged and in full force and affect.

Supplemental Agreement No. 1
to Lease No. DACW21-1-17-0036

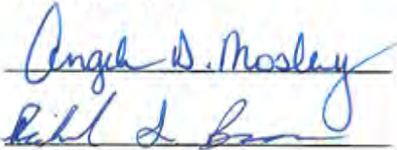
This Supplemental Agreement No. 1 to Lease No. DACW21-1-17-0036 is not subject to Title 10, U.S.C., Section 2662, as amended.

IN WITNESS WHEREOF, I have hereunto set my hand by authority of the Secretary of the Army, this 16th day of may, 2018.



Robert M. Jewell
Savannah District
Deputy Chief, Real Estate Division
Real Estate Contracting Officer

WITNESSES:



This Supplemental Agreement No. 1 to Lease DACW21-1-17-0036 is also executed by the Lessee this _____ day of _____, 2018.

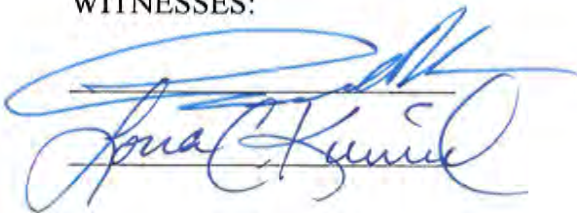
BIG WATER MARINA, LLC

By: 

Name: Bryan F. Bogge

Title: MEMBER

WITNESSES:



CORPORATE CERTIFICATE

I Arthur H. Boggs III (name) certify that I am the Member (title) of **Big Water Marina, LLC** that Bryan P. Boggs (signator of outgrant) who signed the foregoing instrument on behalf of the corporation was then Member (title of signator of outgrant) of the corporation. I further certify that the said officer was acting within the scope of powers delegated to this officer by the governing body of the corporation in executing said instrument.

BIG WATER MARINA, LLC



Corporate Secretary or
Appropriate Officer

Date: 4-26-18

(AFFIX CORPORATE SEAL)


STATE OF SOUTH CAROLINA)

) **ACKNOWLEDGEMENT**

COUNTY OF ANDERSON)

BEFORE ME, a Notary Public in and for the County of Anderson personally appeared AK Arthur Arthur Boggs III, to me known to be the identical person and officer whose name is subscribed to the foregoing instrument, and acknowledged to me that he/she executed the said instrument for the purpose therein expressed as the act and deed of Anderson County.

GIVEN under my hand and seal, this 20th day of April, 2018.



NOTARY PUBLIC

(SEAL)

My Commission Expires: 9/15/2018

STATE OF GEORGIA)

)

ACKNOWLEDGEMENT

COUNTY OF CHATHAM)

BEFORE ME, a Notary Public in and for the County of Chatham, personally appeared Robert M. Jewell, to me known to be the identical person and officer whose name is subscribed to the foregoing instrument, and acknowledged to me that he/she executed the said instrument for the purpose therein expressed as the act and deed of the United States of America.

GIVEN under my hand and seal, this 16th day of May, 2018.

Notary Public

NOTARY PUBLIC

(SEAL)

My Commission Expires: February 2, 2019

JOINT SURVEY AND INSPECTION OF CONDITION OF GOVERNMENT LEASED PROPERTY

(ER 405-1-12)

INSTRUCTIONS

1. If considered necessary, use a separate ENG Form 3143a for each room surveyed.

2. Additional sheets may be attached for physical characteristics of land and buildings: exterior

and interior details of buildings; service facilities; inventory of machinery and equipment; miscellaneous items and general remarks not otherwise covered in section II of this form or on ENG Form 3143a.

ADDED INSTRUCTIONS (Overprint, if desired)

SECTION I - PROPERTY DATA AND CONDITION AGREEMENT

DATE OF SURVEY 2017-04-05	LEASE NO. DACW21-1-14-2050	LEASE COMMENCEMENT DATE	DATE POSSESSION TAKEN
ACTIVITY Big Water Marina		TOTAL LEASED BUILDING AREA (Square feet)	

DESCRIPTION AND LOCATION OF PROPERTY
Boat ramp/parking/road in good condition. See attached property inventory for item descriptions.



JOINT AGREEMENT ON THE CONDITION OF THE PROPERTY

We, the undersigned, jointly made a survey and inspection of the condition of the property mentioned above. We agree that as of the date of survey, the condition of the property is as described herein.

THE CONDITION OF THE EXTERIOR OF THE PROPERTY IS INDICATED ON THE REVERSE SIDE OF THIS FORM. ROOM CONDITIONS ARE INDICATED ON ATTACHED ENG FORM 3143A.

NO. OF ATTACHMENTS

1

NAME AND SIGNATURE OF <input type="checkbox"/> OWNER <input checked="" type="checkbox"/> LESSOR/LESSEE <input type="checkbox"/> AGENT  Boyer P. Bogge	NAME, TITLE, AND SIGNATURE OF U.S. GOVERNMENT REPRESENTATIVE Scott Watson Natural Resource Specialist 
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ADDRESS	ORGANIZATION OP-H
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SECTION II - EXTERIOR CONDITION OF THE PROPERTY *(Attach sheet for added items.)*

ROOF, EAVES, DOWNSPOUTS, ETC.

WALLS

WINDOWS AND DOORS *(Include storm windows and doors)*

FENCING

LAWN, SHRUBBERY, TREES AND PERENNIALS

WALKS AND DRIVEWAYS

GARAGE AND OUT BUILDINGS

ENTRANCES, ELEVATORS AND PATIOS

SEWAGE

REMARKS *(Include questioned or disputed items, repairs to be made, etc. Attach sheet, if necessary.)*
See attached property inventory for item descriptions

Inventory Report By Project

District/Division : SAS Project : HAR

Name : HARTWELL LAKE & DAM, GA

Structure Number	Property ID	Location	Description	Cost	ACQ Date	INSP Date
BROB01	HAR-15943	BROYLES [BROB01]	BOAT RAMP #1, CONCRETE, 3-LANE WITH SELF PAY VAULTS (2) AT ENTRANCE & BOAT RAMP, (2) SECURITY LIGHTS, SINGLE PANEL INFO BOARD.	86,603.57	01/01/1965	02/22/2016
BROCO1	HAR-15945	BROYLES [BROCO1]	COMFORT STATION, STUCCO, STONE & WOOD WITH PEDESTAL LIGHT AND WOOD STEPS.	41,360.00	05/01/1963	02/22/2016
BROFO1	HAR-19164	BROYLES [BROFO1]	2 ENTRANCE GATES, METAL, 26' METAL ENTRANCE SIGN. EXPENSED ASSET VALUE \$1000.	0.00	09/01/1991	02/22/2016
YOKO2	HAR-91500	BROYLES	FISHING PIER BULK HEAD, PARKING AND ASSOCIATED WALKWAYS	36,979.90	07/16/2013	02/22/2016
BROPO1	HAR-15947	BROYLES [BROPO1]	PARKING, ASPHALT, 72,358 SF. ROAD, ASPHALT, 0.5 MILES, 275 LF CONCRETE WALK. (15 TRASH CAN HOLDERS THROUGHOUT PARK - NOT REAL PROPERTY).	127,426.26	01/01/1965	02/22/2016
BRORO1	HAR-15948	BROYLES [BRORO1]	PICNIC SHELTER (1380 SF), WOOD FRAME, OPEN SIDES, CONCRETE SLAB, WITH 6 PEDESTAL TABLES, GRILLS, & GRAVEL PATIO, INFORMATION BOARD, WOOD, 1 PANEL. EXPENSED ASSET VALUE \$7551.	0.00	11/22/1982	02/22/2016
BRORO2	HAR-15949	BROYLES [BRORO2]	13 PICNIC SITES, LEVELLED AREA WITH CONCRETE TABLE. (6) GRILLS & (7) WOOD TRASH SHEDS. EXPENSED ASSET VALUE \$1800.	0.00	01/01/1965	02/22/2016
BRORO3	HAR-24843	BROYLES [BRORO3]	PARK WATCH CAMPSITE, 40'X10' (GRAVEL IMPACT SITE) 20'X36G' (800 SF) GRAVEL ROAD, 50 AMP ELECTRICAL HOOKUP, WATER SPIGOT, TELEPHONE LINE & JACK, SECURITY LIGHT. EXPENSED ASSET VALUE \$9500.	0.00	06/30/1999	02/22/2016
30702	HAR-26328	BROYLES [BRO702]	STEEL/PLASTIC PLAYGROUND. EXPENSED ASSET VALUE \$23732.	0.00	06/30/2000	02/22/2016
BROY01	HAR-15873	BROYLES [BROY01]	SWIM BEACH (160 LF), SAND. EXPENSED ASSET VALUE \$11000.	0.00	01/01/1982	02/22/2016
BROY02	HAR-15953	BROYLES [BROY02]	BOAT RAMP #2, CONCRETE, 1-LANE. EXPENSED ASSET VALUE \$4600.	0.00	01/01/1964	02/22/2016
BROY03	HAR-15952	BROYLES [BROY03]	ASPHALT, 4400SF. (2 PORTABLE TOILETS AND 3 TRASH CANS WITH HOLDERS THROUGHOUT PARK - NOT REAL PROPERTY). EXPENSED ASSET VALUE \$9500.	0.00	01/01/1964	02/22/2016
BROY04	HAR-15951	BROYLES [BROY04]	BOAT RAMP, CONCRETE, 1-LANE. EXPENSED ASSET VALUE \$5000.	0.00	01/01/1964	02/22/2016
BROY05	HAR-15950	BROYLES [BROY05]	PARKING, ASPHALT, 4400SF. (2 PORTABLE TOILETS AND 3 TRASH CANS WITH HOLDERS THROUGHOUT PARK - NOT REAL PROPERTY). EXPENSED ASSET VALUE \$9500.	0.00	01/01/1964	02/22/2016