

**THIRD AMENDMENT TO THE LEASE OF AIRPORT PREMISES
BETWEEN
THE CITY OF SAN JOSE
AND
SMITHS DETECTION INC.**

This THIRD AMENDMENT TO LEASE OF AIRPORT PREMISES is entered into this ____ day of _____, 2020, by the CITY OF SAN JOSE, a municipal corporation of the State of California ("City"), and SMITHS DETECTION INC., a Delaware corporation authorized to do business in the State of California ("Tenant").

RECITALS

WHEREAS, on March 16, 2015, City and Morpho Detection, LLC, entered into a lease entitled "LEASE OF AIRPORT PREMISES BETWEEN THE CITY OF SAN JOSE AND MORPHO DETECTION, LLC" ("Lease"); and

WHEREAS, on April 6, 2017, Morpho Detection, LLC, changed its name with the Delaware Secretary of State to "Smiths Detection, LLC"; and

WHEREAS, on November 19, 2018, City and Smiths Detection, LLC entered into a First Amendment to the Lease to document the official business name change from Morpho Detection, LLC to Smiths Detection, LLC, retroactively extend the term through March 15, 2020, and add provisions required under federal law and regulations; and

WHEREAS, on March 10, 2019, Smiths Detection, LLC assigned and transferred all its rights and responsibilities under the amended Lease to Tenant and City has consented to such assignment and transfer; and

WHEREAS, on July 3, 2019, City and Tenant entered into a Second Amendment to the Lease to document the assignment and to add provisions under federal law and regulations; and

WHEREAS, City and Tenant desire to further amend the amended Lease to extend the term through March 15, 2023;

NOW, THEREFORE, the parties agree to further amend the amended Lease as follows:

SECTION 1. SECTION 1, "DEFINITIONS AND SUMMARY OF TERMS," the following term is amended to read as follows:

“**Expiration Date**” (**§2 TERM**) shall mean March 15, 2023, subject to earlier termination as provided in this Lease.”

SECTION 2. All of the terms and conditions of the amended Lease not modified by this Third Amendment shall remain in full force and effect.

[remainder of page intentionally left blank]

WITNESS THE EXECUTION HEREOF on the day and year first written above.

“CITY”

APPROVED AS TO FORM:

CITY OF SAN JOSE, a municipal
corporation of the State of California



KEVIN FISHER
Chief Deputy City Attorney

TONI TABER, CMC
City Clerk

Date: _____

“TENANT”

SMITHS DETECTION INC.,
a Delaware corporation authorized to do
business in the State of California



Signature

SCOTT SEELY

Print Name

Director, Commercial Contracts

Title

11 February 2020

Date

CORPORATE SECRETARY CERTIFICATE

This certificate shall be executed by the secretary or assistant secretary of the corporation.

I, Richard Beers certify that I
Name of Secretary or Assistant Secretary

am the Secretary or Assistant Secretary of the corporation named in the

attached agreement; that Scott Seely
Name of Person that Signed Agreement

signed the agreement on behalf of the corporation as the Director, Commercial Contracts
Title of Person that Signed the Agreement

of the corporation; and that the agreement was duly signed for and on behalf of

the corporation by authority of its Board of Directors, and is within the scope of its

corporate powers.

[Signature]
Signature of Secretary or Assistant Secretary

Corporate Seal

February 13, 2020
Date

