

**FIFTH AMENDMENT TO LEASE  
BETWEEN  
THE MILWAUKEE BOARD OF SCHOOL DIRECTORS  
AND  
BANNER DAY LEARNING CORP.  
AT  
35<sup>th</sup> Street School Building  
Located at 3517 West Courtland Avenue**

**THIS FIFTH AMENDMENT TO LEASE** ("Fifth Amendment") is made as of the 25<sup>th</sup> day of May, 2023, by and between **THE MILWAUKEE BOARD OF SCHOOL DIRECTORS** (hereinafter "the Board") and **BANNER DAY LEARNING CORP.** (hereinafter "Lessee").

**RECITALS**

**WHEREAS**, the Board and Lessee entered into that certain Lease dated June 28, 2018; and

**WHEREAS**, the Board and Lessee entered into that certain First Amendment to Lease dated June 27, 2019; and

**WHEREAS**, the Board and Lessee entered into that certain Second Amendment to Lease dated June 25, 2020; and

**WHEREAS**, the Board and Lessee entered into that certain Third Amendment to Lease dated May 27, 2021; and

**WHEREAS**, the Board and Lessee entered into that certain Fourth Amendment to Lease dated May 26, 2022; and

**WHEREAS**, the Board and Lessee wish to amend the Lease as set forth below.

**NOW, THEREFORE**, the parties hereto agree as follows (all capitalized terms used but not defined herein shall have the meaning set forth in the Lease):

1. Section 2 of the Lease is hereby deleted and replaced with the following:

2. TERM: The term shall commence on July 1, 2023 and will terminate on June 30, 2024, except either party may terminate the lease by providing the other party 60 day written notice of termination. No notice of termination may be given more than 60 days prior to the end of the academic year. Upon termination, Lessee shall vacate the premises in a manner consistent with the terms and conditions of the Lease.

2. Section 5.a is hereby deleted and replaced with the following:
  - a. Annual rent of \$111,353 shall be payable in twelve (12) equal monthly payments.
  
3. Except as modified by this Fifth Amendment, the Lease shall continue in full force and effect as provided therein.

[Signatures appear on following page]

Signature Page to Fifth Amendment of Lease Agreement Between  
the Milwaukee Board of School Directors  
and  
Banner Day Learning Corp  
For  
35<sup>th</sup> Street School  
Located at 3517 West Courtland

IN WITNESS WHEREOF, the parties hereunto set their hands and seals the  
day and year first above written.

**LESSOR:**  
**MILWAUKEE BOARD OF  
SCHOOL DIRECTORS**

Marva Herndon  
Marva Herndon  
President, Milwaukee Board of School Directors  
7-28-2023  
Date

Keith P. Posley  
Keith P. Posley, Ed.D.  
Superintendent of Schools  
7-17-23  
Date

**LESSEE:**  
**BANNER DAY LEARNING CORP.**

Eric A. Carlton  
Eric A. Carlton  
President  
6/16/23  
Date