

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

THIS FIFTH AMENDMENT TO LEASE (“Fifth Amendment”) is made as of the _____ day of _____, 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 Fourth Amendment of Lease Agreement Between
the Milwaukee Board of School Directors
and
Banner Day Learning Corp
For
35th 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
President, Milwaukee Board of School Directors

Date

Keith P. Posley, Ed.D.
Superintendent of Schools

Date

**LESSEE:
BANNER DAY LEARNING CORP.**

Eric A. Carlton
President

Date