

2. Nachtrag
zum
Geschäftsraummietvertrag vom 18.04.2023 über das
„Haus der Bürgerschaft“

zwischen

Art-Invest Hotel-MTC-FBHH-GmbH & Co. KG,
Am Kabellager 11-13, 51063 Köln,
Handelsregister: AG Köln, HRA 33004



vertreten durch die Unterzeichnenden

- nachstehend „**Vermieterin**“ genannt-

und der

Freien und Hansestadt Hamburg,
Bürgerschaftskanzlei

vertreten durch die Präsidentin der Bürgerschaft Frau Carola Veit sowie Herrn Johannes Düwel
Rathausmarkt 1, 20095 Hamburg

- nachstehend „**Mieterin**“ genannt -
- im Folgenden gemeinsam die "**Parteien**" -

Präambel

Zwischen den Parteien besteht ein Mietvertrag vom 18.04.2023 nebst 1. Nachtrag dazu vom 05./08./09.04.2024 über Flächen im Objekt Alter Wall 38 in 20457 Hamburg („**Gebäude**“), die von der Mieterin als sog. „Haus der Bürgerschaft“ genutzt werden sollen („**Mietvertrag**“). Einige der in dem Mietvertrag enthaltenen Termine sollen nun verschoben werden.

Dies vorangestellt vereinbaren die Parteien Folgendes:

§ 1 Verschiebung Übergabetermin

- 1.1 Der Spätest-Übergabetermin gem. § 4.1.3 des Mietvertrags, der gem. § 2 Abs. 1 des 1. Nachtrags zum Mietvertrag bisher der 11.11.2025 ist, wird zeitlich nach hinten verschoben. Der Spätest-Übergabetermin im Sinne von § 4.1.3 des Mietvertrags wird einvernehmlich auf den 01.04.2026 verlegt.

- 1.2 Die Parteien vereinbaren weiter, dass die in § 4.1.3 Abs. 2 des Mietvertrags vereinbarte Ankündigungsfrist für den tatsächlichen Übergabetermin von drei auf sechs Monate verlängert wird. § 4.1.3 Abs. 2 des Mietvertrags lautet zukünftig wie folgt:

„Die Vermieterin wird der Mieterin den tatsächlichen Übergabetermin unter Einhaltung einer Ankündigungsfrist von sechs Monaten in Textform mitteilen („**verbindlicher Übergabetermin**“). Erfolgt die Mitteilung der Vermieterin nicht nach vorstehendem Satz, ist die Mieterin so lange zur Verweigerung der Übernahme des Mietobjektes berechtigt, wie zwischen dem Zugang der Mitteilung über den verbindlichen Übergabetermin und dem mitgeteiltem verbindlichen Übergabetag nicht mindestens sechs Monate liegen. § 4.1.7 des Mietvertrages bleibt unberührt.“

§ 2 Staffelmiete

Der in § 7 des Mietvertrags genannte Zeitpunkt für die jeweilige Erhöhung der monatlichen Miete, bisher der 01.01. eines jeden Jahres beginnend mit dem 01.01.2025, soll sich um denjenigen Zeitraum nach hinten verschieben, um den sich die tatsächliche Übergabe des Mietobjekts gem. §§ 4.1.3 und 4.1.4 des Mietvertrags über den 11.11.2025 hinaus nach hinten verschiebt. § 7 des Mietvertrags wird daher vollständig neu gefasst und lautet nunmehr wie folgt:

„§ 7 Staffelmiete

Die von der Mieterin geschuldete monatliche Miete gem. § 5.1 erhöht sich jeweils zum nachfolgend definierten Kalendertag eines jeden Kalenderjahres („**Stichtag**“) automatisch um jeweils 2,5% der zuvor geltenden monatlichen Miete, ohne dass es einer Änderungs-erklärung oder eines sonstigen Hinweises einer Partei bedarf. Die Vermieterin wird der Mieterin jedoch jeweils rechtzeitig eine aktualisierte Mietdauerrechnung für die geänderte monatliche Miete zukommen lassen. Vor Zugang einer aktualisierten Mietdauerrechnung sind Verzugsfolgen ausgeschlossen. Erfolgen die Mieterhöhungen nicht zum jeweiligen Anfang eines Monats, so sind sie für diesen Monat jeweils zeitanteilig zu berechnen.

„**Stichtag**“ im Sinne dieser Regelung ist derjenige Kalendertag eines jeden Kalenderjahres ab dem Jahr 2025, der um so viele Tage auf den 01.01. eines jeden Jahres folgt, wie die tatsächliche Übergabe des Mietobjekts (gem. §§ 4.1.3 und 4.1.4 des Mietvertrags) erst nach dem 11.11.2025 erfolgt. Sollte sich die tatsächliche Übergabe des Mietobjekts wegen „höherer Gewalt“ nach den Voraussetzungen gem. § 4.1.5 des Mietvertrags zulässig verzögern, so bleiben solche Zeiträume bei der Berechnung der Anzahl der Tage der verspäteten Übergabe außer Betracht. Klarstellend wird festgehalten, dass die gemäß § 4.1.6 des Mietvertrages der Risikosphäre des Vermieters zugeordneten Umstände, welche nicht zu einer zulässigen Verzögerung der Übergabe des Mietobjektes führen, bei der Stichtagsberechnung entsprechend zu berücksichtigen sind.

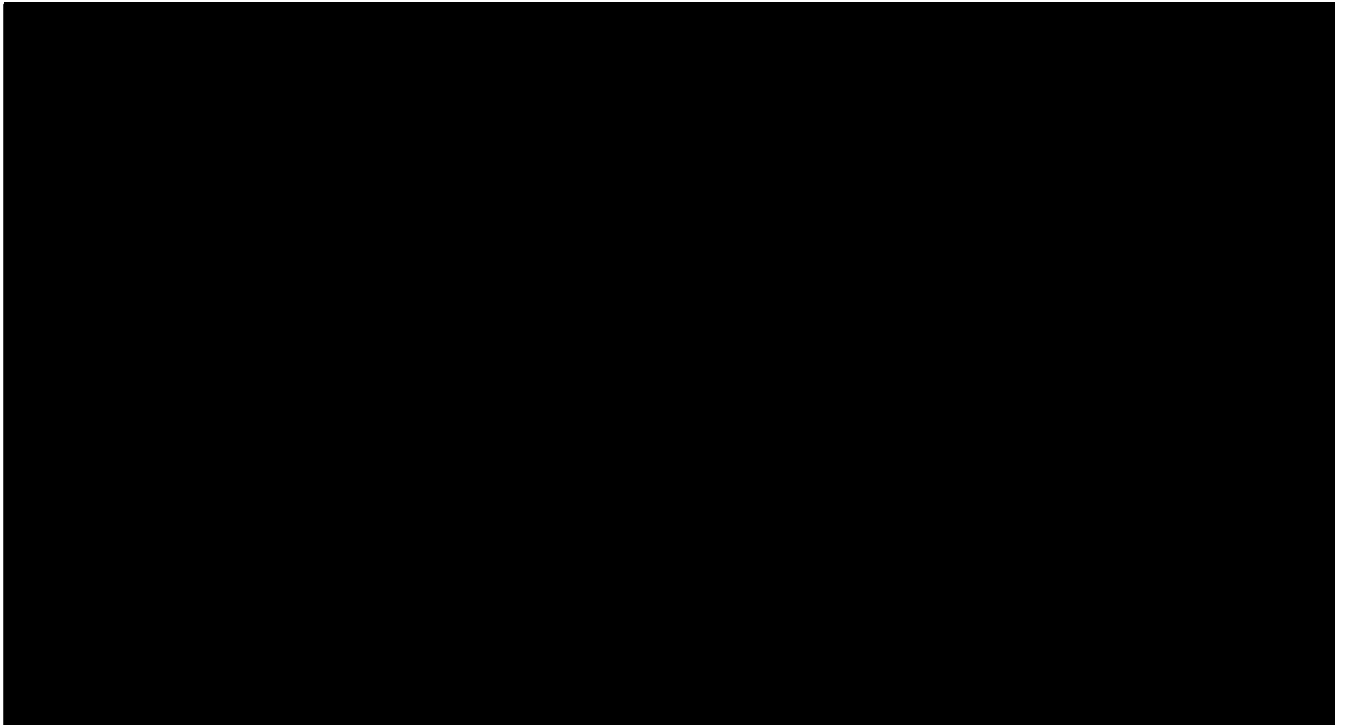
Beispiel: Erfolgt die Übergabe erst am 15.01.2026, so erfolgt sie 65 Kalendertage nach dem 11.11.2025; der Stichtag wäre demnach derjenige Kalendertag, der 65 Tage nach dem 01.01. folgt, also der 07.03. eines jeden Kalenderjahres ab dem Jahr 2025. Erfolgt die Übergabe am oder vor dem 11.11.2025, so ist der Stichtag der 01.01. eines jeden Jahres.

Zur Klarstellung: die erste Staffelmietserhöhung der Miete erfolgt aufgrund der vorstehenden Stichtagsberechnung mit der Übergabe des Mietobjektes, jedoch rückwirkend zum Stichtag (welcher vor der Übergabe des Mietobjektes liegt).

Die Parteien vereinbaren, dass der konkrete Stichtag für die Staffelmietserhöhungen in dem Übergabenachtrag gem. § 4.1.9 des Mietvertrags festgehalten wird.“

§ 3 Mobilfunkanlage

Die Vermieterin wird zusätzlich zu dem von ihr geschuldeten Ausbau des Mietobjektes noch auf ihre Kosten und in Abstimmung mit der Mieterin eine Mobilfunkversorgung (Errichtung einer funktechnischen Anlage, nachfolgend insgesamt „**Mobilfunkanlage**“) zur Mobilfunkverstärkung gemäß der als **Anlage NT2-3** beigefügten Beschreibung (mitsamt planerischer Darstellung) in das Mietobjekt einbauen, die Baubeschreibung gem. § 1.5 des Mietvertrags wird entsprechend ergänzt.



§ 4 Innenraum-Ausbauplanung II / Ausbau der Variablen Bereiche

- 4.1 Die Parteien vereinbaren, dass die in § 1.8.1 Abs. 2 des Mietvertrags geregelte Frist zur Abstimmung einer etwaigen „Innenraum-Ausbauplanung II“ einvernehmlich vom 31.03.2025 auf den 31.05.2025 verschoben wird.
- 4.2 Zudem wird mit Wirkung zum Abschluss dieses Nachtrags die Regelung in § 4.1.4 des Mietvertrages aufgehoben. Abweichend von § 1.8.1 Abs. 2 Satz 2 des Mietvertrages werden die Variablen Bereiche von der Vermieterin bis zur Übergabe des Mietobjektes vertragsgemäß fertiggestellt.

§ 5 Early Access

Abweichend von § 4.1.1 des Mietvertrages wird die Vermieterin der Mieterin den Early Access zum Mietobjekt bereits 8 Wochen vor dem verbindlichen Übergabetermin gewähren. Die sonstigen Regelungen in § 4.1.1 bleiben unberührt.

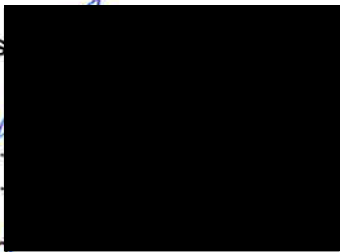
§ 6 Sonstiges

- 6.1 Soweit vorstehend nichts anderes vereinbart wurde, verbleibt es im Übrigen bei den Regelungen des Mietvertrags und des 1. Nachtrags. Dieser Nachtrag wird Bestandteil des Mietvertrags.
- 6.2 Sollten eine oder mehrere Bestimmungen dieses Nachtrags unwirksam sein oder werden, wird dadurch die Wirksamkeit des Nachtrags im Übrigen nicht berührt. Für diesen Fall verpflichten sich die Parteien, die unwirksame Regelung durch eine wirksame Bestimmung zu ersetzen, die der unwirksamen Regelung nach ihrem Sinn und Zweck und ihrer wirtschaftlichen Bedeutung möglichst nahekommt. Ebenso ist zu verfahren, sollte sich bei Durchführung dieses Nachtrags eine ergänzungsbedürftige Lücke herausstellen.
- 6.3 Die diesen Nachtrag zuerst unterzeichnende Partei hält sich an ihr Vertragsangebot vier Wochen gebunden, innerhalb dieser Zeit kann dieser Nachtrag durch Gegenzeichnung der anderen Partei und Rücksendung eines Scans des gegengezeichneten Nachtrags per E-Mail an die zuerst unterzeichnende Partei angenommen werden.

Köln, den 27/12/24

Hamburg, den 23/12/24

Unters



(Bitte in Druckbuchstaben ausdrucken)

Unterschrift der Mieterin:

Carola Veit

Hamburg, den 23/12/24

27.12.2024, den

Unters



Unterschrift der Mieterin:

Johannes Düwel

[The following text is a dense, handwritten manuscript, likely a letter or a page from a book. It is written in a cursive script and is mostly illegible due to the quality of the scan. The text appears to be a continuous paragraph or a series of connected thoughts. The handwriting is fluid and somewhat slanted. There are some words that are more legible than others, but the overall content cannot be accurately transcribed. The text is written in dark ink on a light-colored paper. The page number '100' is visible in the top left corner. The text is organized into a single column, with some lines starting with capital letters, possibly indicating the start of new sentences or paragraphs. The overall appearance is that of a historical or personal document.]

[The following text is a dense, handwritten manuscript, likely a letter or a journal entry. It is written in a cursive script and covers the majority of the page. Due to the image quality and the nature of the handwriting, the specific words and sentences are largely illegible. The text appears to be organized into several paragraphs, with some lines indented. There are some visible markings that could be punctuation or small drawings, but they are not clear enough to transcribe accurately.]

The first part of the paper discusses the importance of understanding the cultural context of the research. It highlights the need for researchers to be sensitive to the values and beliefs of the communities they are studying. This is particularly important in the field of education, where cultural differences can significantly impact learning outcomes.

The second part of the paper focuses on the methodology used in the study. It describes the process of selecting participants, collecting data, and analyzing the results. The authors emphasize the importance of using a mixed-methods approach to gain a comprehensive understanding of the research topic.

The third part of the paper presents the findings of the study. It discusses the results of the quantitative data analysis and the insights gained from the qualitative interviews. The authors conclude that there are significant cultural differences in the way that students learn and that these differences should be taken into account when designing educational programs.

The final part of the paper discusses the implications of the findings for practice. It suggests that educators should be aware of the cultural backgrounds of their students and tailor their teaching methods accordingly. This will help to ensure that all students have the opportunity to succeed in the classroom.

The first of these is the fact that the system is not in a steady state. The number of particles in the system is increasing at a constant rate, and this is reflected in the fact that the total energy of the system is also increasing. The second is that the system is not in thermal equilibrium. The temperature of the system is not uniform, and this is reflected in the fact that the energy is not distributed equally among the particles. The third is that the system is not in a state of maximum entropy. The entropy of the system is not at its maximum value, and this is reflected in the fact that the system is not in a state of maximum disorder.

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The seventh is that the system is not in a state of maximum predictability. The predictability of the system is not at its maximum value, and this is reflected in the fact that the system is not in a state of maximum control. The eighth is that the system is not in a state of maximum adaptability. The adaptability of the system is not at its maximum value, and this is reflected in the fact that the system is not in a state of maximum flexibility. The ninth is that the system is not in a state of maximum resilience. The resilience of the system is not at its maximum value, and this is reflected in the fact that the system is not in a state of maximum robustness. The tenth is that the system is not in a state of maximum sustainability. The sustainability of the system is not at its maximum value, and this is reflected in the fact that the system is not in a state of maximum longevity.

The eleventh is that the system is not in a state of maximum harmony. The harmony of the system is not at its maximum value, and this is reflected in the fact that the system is not in a state of maximum balance. The twelfth is that the system is not in a state of maximum unity. The unity of the system is not at its maximum value, and this is reflected in the fact that the system is not in a state of maximum cohesion. The thirteenth is that the system is not in a state of maximum integrity. The integrity of the system is not at its maximum value, and this is reflected in the fact that the system is not in a state of maximum wholeness. The fourteenth is that the system is not in a state of maximum beauty. The beauty of the system is not at its maximum value, and this is reflected in the fact that the system is not in a state of maximum aesthetic appeal.

the 1990s, the number of people in the UK who are aged 65 and over has increased by 1.5 million (1990–1999) and is projected to increase by a further 1.5 million by 2010 (Office for National Statistics 2000). The number of people aged 65 and over is projected to increase by 2.5 million by 2020 (Office for National Statistics 2000).

There is a growing awareness of the need to develop strategies to meet the needs of the ageing population. The Department of Health (1999) has identified the need to develop a new approach to the care of the ageing population. This approach should be based on the principles of 'active ageing', which is defined as 'the process of optimising the opportunities for people to be able to lead a healthy, active and productive life' (Department of Health 1999, p. 1).

The Department of Health (1999) has identified a number of key areas for action in order to achieve the goals of 'active ageing'. These include: (1) promoting the health and well-being of the ageing population; (2) ensuring that the ageing population has access to the services and resources they need; (3) promoting the participation of the ageing population in society; and (4) ensuring that the ageing population is protected from abuse and neglect.

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the 1990s, the number of people with a mental health problem has increased by 50% (Mental Health Foundation 2000). The prevalence of mental health problems has increased in the general population, and the incidence of mental health problems has increased in the prison population (Mental Health Foundation 2000).

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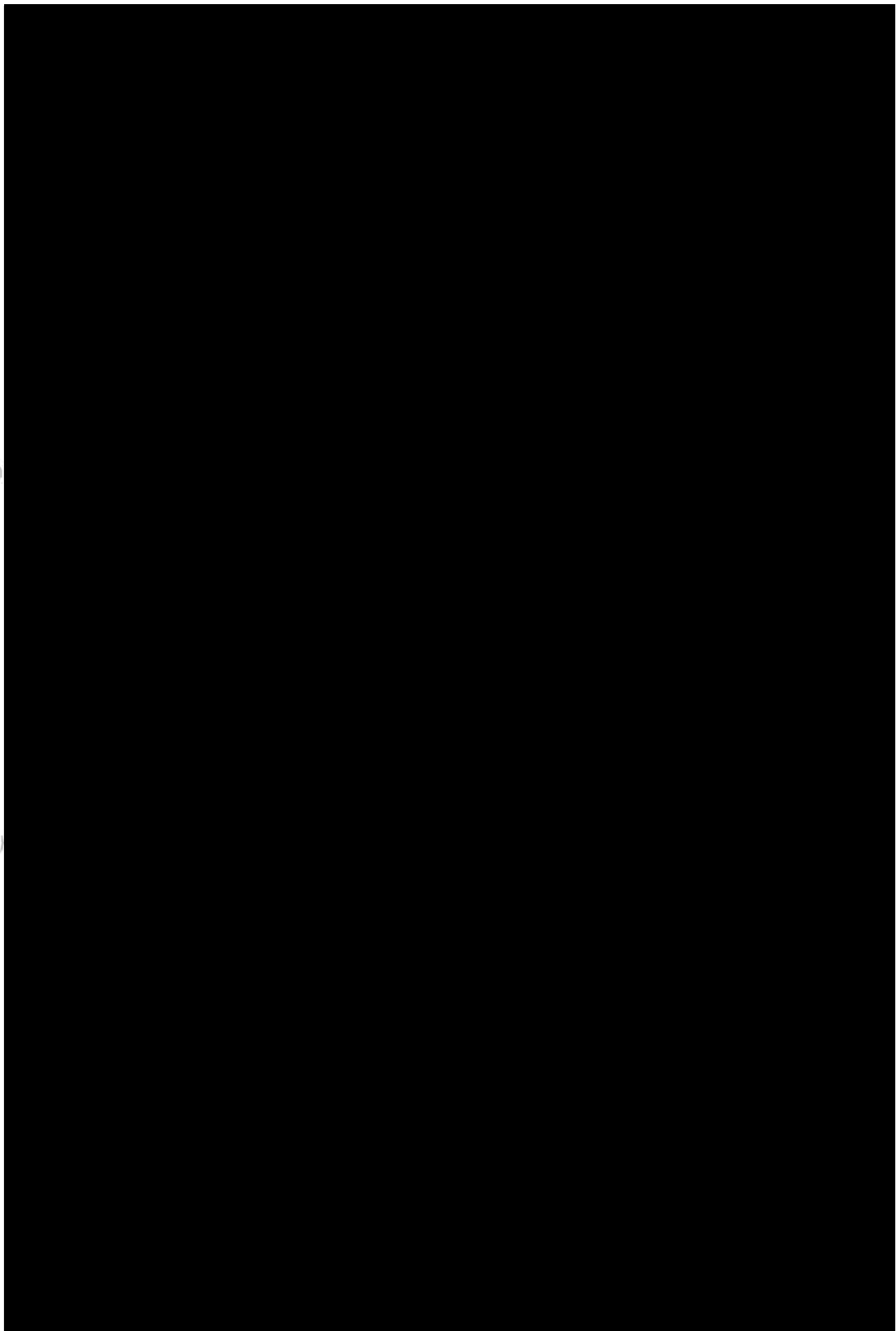
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There is a growing awareness of the need to develop strategies to meet the needs of the ageing population. The Department of Health (2000) has identified the need to develop a 'new paradigm' for the care of the ageing population, one that is based on a 'continuum of care' rather than a 'dual system' of care. The 'new paradigm' is based on the principle that care should be provided in the community wherever possible, and that care should be tailored to the needs of the individual. The 'new paradigm' is based on the principle that care should be provided in the community wherever possible, and that care should be tailored to the needs of the individual.

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