

FIRST AMENDATORY LEASE AGREEMENT

THIS FIRST AMENDATORY LEASE AGREEMENT is made and entered into by and between the **CITY AND COUNTY OF DENVER**, a municipal corporation and home rule city of the State of Colorado, hereinafter referred to as the “City,” and **MILE HIGH MONTESSORI EARLY LEARNING CENTERS dba MILE HIGH EARLY LEARNING**, a Colorado not-for-profit corporation, whose address is 1799 Pennsylvania Street, 4th Floor, Denver, Colorado 80203 (the "Lessee"), collectively “the parties.”

RECITALS:

WHEREAS, the City Leased certain real property and improvements located at 957 Ulster Way, Denver, Colorado 80230 (the “Property”) to the Lessee by a Lease Agreement dated May 20, 2016 (City Clerk File No. 201521213) (the “Lease”) to operate a child care center; and

WHEREAS, the term of the Lease is due to expire on December 31, 2019; and

WHEREAS, the parties now desire to amend the Lease to extend the term and provide for additional rent payments.

NOW, THEREFORE, in consideration of the premises and the mutual covenants and obligations set forth herein, the parties agree as follows:

1. Article 2 of the Lease, entitled “**TERM**,” is hereby amended to read as follows:

2. **TERM**: The term of this Lease shall begin on July 1, 2012, and terminate on December 31, 2024, unless terminated earlier pursuant to the terms of this Lease.

2. Article 3 of the Lease, entitled “**RENT**,” is hereby amended to read as follows:

3. **RENT**: The Lessee shall pay to the City for the rent of the Leased Premises the total sum of Fifty-Eight Dollars (\$58.00), payable to the Manager of Revenue in annual installments of One Dollar (\$1.00) per year or partial year from July 1, 2012 through December 31, 2019, and Ten Dollars (\$10.00) per year from January 1, 2020 through December 31, 2024. Each payment shall be delivered to Division of Real Estate, 201 W. Colfax Avenue, 10th Floor, Denver, Colorado 80202, or to such other address as the City may designate and shall be due and payable on the second day of each year. All past due installments shall bear interest at the rate of twelve percent (12%) per annum until paid.

3. Article 4 of the Lease entitled “**USE**” is hereby amended by adding the following paragraph after the existing paragraph:

The City and Lessee have entered into an agreement which requires that Lessee, in accordance with Denver’s Head Start Program, provide services as set forth in the agreement which may be found in City Clerk File No. 201948399 (“Head Start Agreement”). Lessee’s provision of services in accordance with the Head Start Agreement, or a similar successor agreement, shall be required to enable Lessee to continue to rent the Leased Premises.

4. Article 19 of the Lease, entitled “**NO DISCRIMINATION IN EMPLOYMENT**”, is hereby amended by replacing the language as follows:

19. **NO DISCRIMINATION IN EMPLOYMENT**: In connection with the performance of work under this contract, the Contractor may not refuse to hire, discharge, promote or demote, or discriminate in matters of compensation against any person otherwise qualified, solely because of race, color, religion, national origin, gender, age, military status, sexual orientation, gender identity or gender expression, marital status, or physical or mental disability. The Contractor shall insert the foregoing provision in all subcontracts.

5. Except as herein amended, the Lease is revived, affirmed and ratified in each and every particular.

6. This First Amendatory Lease Agreement will not be effective or binding on the City until it has been fully executed by all required signatories of the City and County of Denver, and if required by Charter, approved by the City Council.

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SIGNATURE PAGES FOLLOW THIS PAGE

Contract Control Number: FINAN-201951943-01
Contractor Name: MILE HIGH MONTESSORI EARLY LEARNING CENTERS

IN WITNESS WHEREOF, the parties have set their hands and affixed their seals at Denver, Colorado as of:

SEAL

CITY AND COUNTY OF DENVER:

ATTEST:

By:

APPROVED AS TO FORM:

REGISTERED AND COUNTERSIGNED:

Attorney for the City and County of Denver

By:

By:

By:

Contract Control Number:
Contractor Name:
CENTERS

FINAN-201951943-01
MILE HIGH MONTESSORI EARLY LEARNING

By:  746A688677594E2...

Name: Pamela Harris
(please print)

Title: President & CEO
(please print)

ATTEST: [if required]

By: _____

Name: _____
(please print)

Title: _____
(please print)