

FIRST AMENDATORY AGREEMENT

THIS FIRST AMENDATORY AGREEMENT is made between the **CITY AND COUNTY OF DENVER**, a municipal corporation of the State of Colorado (the “City”) and **DAVID BINKLEY**, an individual and employee of the City (“Employee”), jointly “the Parties”.

RECITALS

A. The Parties entered into an Agreement dated July 19, 2023 (the “Agreement”), with regard to caretaker services and duties; and

B. The Parties now wish to amend the Agreement to extend the term date and modify other provisions of the Agreement.

NOW, THEREFORE, the Parties hereby amend the Agreement as follows:

1. Subsection 1 of Article IV. of the Agreement is amended to read as follows:

“The Agreement is effective as of execution. The Employee may use the Personal Use Areas specified herein as a private residence for the Employee and his or her immediate family as long as it is beneficial to the City. The term of this Agreement as it affects Housing shall terminate by not later than December 31, 2026 (“Term”). City shall determine whether to extend the Term. However, the Term of this Agreement is not intended to affect employment status. If employment has been previously terminated, then the Agreement may be terminated.”

2. A Part a. to Subsection 2 of Article V of the Agreement is added to amend the Agreement to read as follows:

“Caretaker hours performed as a part of after-hours services, offset against the fair market value rent, will be tracked and submitted to the Employee’s supervisor monthly. Annual caretaker hours will be submitted to the DMP Director and DPR Contract Administrator by January 31st of the following year. The DMP Director shall annually recalculate and track the fair market rent value of the property in relation to Employee hours, and review with the DPR Director of Finance by March 1st each year.”

3. Except as herein amended, the Agreement is affirmed and ratified in each and every particular.

4. This First Amendatory 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.

**[PAGE INTENTIONALLY LEFT BLANK.
SIGNATURE PAGES FOLLOW]**

Contract Control Number: PARKS-202578759-01/ PARKS-202368050-01
Contractor Name: David Binkley

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

SEAL **CITY AND COUNTY OF DENVER:**

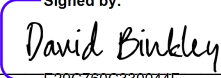
ATTEST: By: _____

APPROVED AS TO FORM: **REGISTERED AND COUNTERSIGNED:**
Attorney for the City and County of Denver
By: _____ By: _____

By: _____

Contract Control Number:
Contractor Name:

PARKS-202578759-01/PARKS-202368050-01
David Binkley

By:  Signed by:
E29C760C330044F...

Name: David Binkley
(please print)

Title: Senior Park Ranger
(please print)

ATTEST: [if required]

By: _____

Name: _____
(please print)

Title: _____
(please print)