AMENDATORY PARTNERSHIP AND SUBLICENSE AGREEMENT

THIS AMENDATORY PARTNERSHIP AND SUBLICENSE AGREEMENT is made and entered into by and between the **CITY AND COUNTY OF DENVER**, a municipal corporation of the State of Colorado (the "**City**"), and **ATHMAR PARK NEIGHBORHOOD ASSOCIATION INC.**, a Colorado nonprofit corporation ("**APNA**"), with an address of P.O. Box 19732, Denver, Colorado 80219, jointly "the Parties."

RECITALS

A.   The Parties entered into a Partnership and Sublicense Agreement executed on or about April 27, 2022, (the "**Agreement**"), City contract control number 202161541, to perform maintenance and limited operations of certain property, defined in the Agreement, for the enjoyment, benefit and service of the public as set forth in that Agreement and the exhibits thereto; and

B.   This Agreement is subject to a Master License Agreement ("**License Agreement**"), recorded under reception number 2021099776, and included as Exhibit A to the Agreement, between Public Service Company of Colorado ("**Licensor**") and the City as the Licensee under the License Agreement, to allow the City to make certain improvements or installations in, on, or along the property as defined in the Agreement; and

C.   Licensor agreed to allow the City to enter into a sublicense with APNA for APNA to perform certain additional installations and perform certain maintenance and upkeep for the benefit of the land described under the License Agreement under the Agreement; and

D.   The Agreement by its terms shall terminate April 27, 2025; and

E.   The Parties therefore wish to amend the Agreement to extend the term and to continue APNA's activities.

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

1.   Section 3 of the Agreement, entitled "**Term.**", is hereby amended to read as follows:

"This Agreement shall commence as of the Effective Date and shall expire April 27, 2030 (the "Expiration Date"), unless otherwise terminated or if the License Agreement is terminated."

2.   A Section 19(w) entitled "**Compliance with Denver Wage Laws**" is hereby added to the Agreement to read as follows:

"To the extent applicable to the Contractor's provision of Services hereunder, the Contractor shall comply with, and agrees to be bound by, all rules, regulations, requirements, conditions, and City determinations regarding the City's Minimum Wage and Civil Wage Theft Ordinances, Sections 58-1 through 58-26 D.R.M.C., including, but not limited to, the requirement that every covered worker shall be paid all earned wages under applicable state, federal, and city law in accordance with the foregoing D.R.M.C. Sections. By executing this Agreement, the Contractor expressly acknowledges that the Contractor is aware of the requirements of the City's Minimum Wage and Civil Wage Theft Ordinances and that any failure by the Contractor, or any other individual or entity acting subject to this Agreement, to strictly comply with the foregoing D.R.M.C. Sections shall result in the penalties and other remedies authorized therein."

4. Except as herein amended, the Agreement, as amended, are affirmed and ratified in each and every particular.

5. This Amendatory Partnership and Sublicense 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.

[SIGNATURE PAGES FOLLOW]

Contract Control Number: PARKS-202578460-01 / 202161541-01
Contractor Name: ATHMAR PARK NEIGHBORHOOD ASSOCIATION INC.

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: PARKS-202578460-01 / 202161541-01
Contractor Name: ATHMAR PARK NEIGHBORHOOD ASSOCIATION
INC.

DocuSigned by:

By: *kristin lacy*
—2D9DE595D39B420...

Name: Kristin Lacy
(please print)

Title: Co-Owner
(please print)

ATTEST: [if required]

By: _____

Name: _____
(please print)

Title: _____
(please print)