

1997-568A

AMENDATORY AGREEMENT

THIS AMENDATORY AGREEMENT is made and entered into this ____ day of _____, 2010, by and between the **CITY AND COUNTY OF DENVER**, a municipal corporation of the State of Colorado (the "City"), and **DENVER URBAN RENEWAL AUTHORITY**, a Colorado urban renewal authority whose address is 1555 California Street, Suite 200, Denver, Colorado 80202 ("DURA" or "Contractor")(together, the "Parties").

WITNESSETH:

- A.** The City and DURA entered into an Agreement dated July 29, 1997, relating to funding for public improvements in the St. Luke's Redevelopment Area (the "Agreement"); and
- B.** The City and DURA wish to amend the Agreement, to enable funding for improvements adjacent to as well as within the St. Luke's Redevelopment Area, including without limitation improvements to Benedict Fountain Park;

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

- 1. The last sentence of Section 1 of the Agreement, entitled "LOAN TO DURA", is amended to read as follows:

"Once DURA's repayments equal \$2.0 million plus the interest accrued thereon, the City shall allocate additional payments received pursuant to the Promissory Note to other public improvements within or adjacent to the St. Luke's Redevelopment Area, so long as such public improvements are eligible improvements pursuant to the Urban Renewal Law, and are approved by the Director of the City's Office of Economic Development or his/her designee."

- 2. The Director of the City's Office of Economic Development has approved improvements to Benedict Fountain Park as an eligible improvement.

- 3. As amended herein, the Agreement is affirmed and ratified in each and every particular.

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IN WITNESS WHEREOF, the Parties have executed, through their respective lawfully empowered representatives, this Amendatory Agreement as of the day and year first above written.

ATTEST:

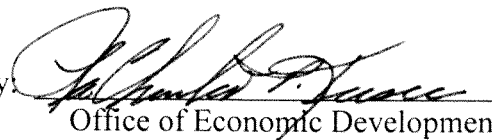
CITY AND COUNTY OF DENVER

Clerk and Recorder, Ex-Officio Clerk
of the City and County of Denver

By: _____
Mayor

APPROVED AS TO FORM:
City Attorney for the
City and County of Denver

RECOMMENDED AND APPROVED:

By: 
Office of Economic Development

By: _____
Assistant City Attorney

REGISTERED AND COUNTERSIGNED:

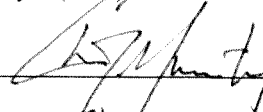
By: _____
Manager of Finance
Contract Control No. GE7Y036(1)

By: _____
Auditor

"CITY"

DENVER URBAN RENEWAL
AUTHORITY

Taxpayer(IRS) Identification No. 84-6011088

By: 

Name: CHRIS JIM MARTINEZ
(please print)

Title: CHAIR

"DURA"