

**DENARGO MARKET COST SHARING AND FUNDING AGREEMENT**  
**(First Amendatory)**

**THIS FIRST AMENDATORY DENARGO MARKET COST SHARING AND FUNDING AGREEMENT** is made and entered effective as of the date set forth on the City’s signature page below (“**Effective Date**”) by and between the **CITY AND COUNTY OF DENVER**, a home rule and municipal corporation of the State of Colorado (the “**City**”); **JV LODO DENARGO LLC**, a Delaware limited liability company (“**Developer**”), and **DENARGO MARKET METROPOLITAN DISTRICT NO. 1**, a Colorado quasi-municipal corporation and political subdivision (together with its permitted assigns, the “**District**”). City, Developer and District are sometimes referred to together herein as the “**Parties**” or singularly, as a “**Party**.”

**RECITALS:**

**A.** The Parties entered into an agreement executed on or about October 2, 2024 (the “**Agreement**”) for the funding and construction of park facilities and amenities in that Agreement and the exhibits thereto; and

**B.** The Agreement sets forth the funding and cost sharing obligations, among other obligations, for the respective Parties; and

**C.** During the course of the work under the Agreement, the Parties mutually determined and agreed that the project will require additional funds for completion of the work; and

**D.** The City has agreed that it will increase its share of the funding obligation to contribute to the work; and

**E.** Rather than enter into a new contract, the Parties wish to revise the terms and conditions of the Agreement as they previously existed to add funds to the project.

**NOW, THEREFORE**, in consideration of the premises and the Parties’ mutual covenants and obligations, the Parties agree as follows:

1. All of the recitals above are hereby confirmed and incorporated herein as part of the Agreement.

2. Section 3 of the Agreement, at subsection 3.2 entitled “City Funding” is hereby amended to read as follows:

“The Parties have estimated the total costs of the Cost Sharing Improvements to be approximately Nine Million Dollars (\$9,000,000.00) (“**Cost Sharing Improvements Costs**”). The total amount of City funding shall be in an amount not to exceed **THREE MILLION TWENTY-TWO THOUSAND FOUR HUNDRED NINETEEN DOLLARS AND ZERO CENTS (\$3,022,419.00)** and is intended to reimburse the Developer for a portion of the construction costs. All funds from the City and DPR shall be referred to as “**City Funds**”. All distributions of City Funds shall be paid on a reimbursement basis only and subject to reporting and audit requirements as required by law and set forth in this Agreement.”

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

4. This First Amendatory Denargo Market Cost Sharing and Funding 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.

**[THE BALANCE OF THIS PAGE IS INTENTIONALLY LEFT BLANK]**

**[SIGNATURE PAGES TO FOLLOW]**

**Contract Control Number:** PARKS-202582745-01 / 202473847-01  
**Contractor Name:** JV LODO DENARGO LLC

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-202582745-01 / 202473847-01  
**Contractor Name:** JV LODO DENARGO LLC

**Developer:**

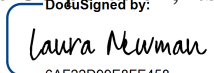
**JV LODO DENARGO LLC,**  
a Delaware limited liability company

By: JV Denargo LLC, a Delaware limited liability company, its sole member

By: GF Denargo Investor, LLC, a Delaware limited liability company, its manager

By: GOCO Denargo Investors, LLC, a Delaware limited liability company, its administrative manager

By: Golub Real Estate Corp., an Illinois Corporation, its manager

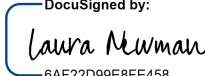
By:   
DocuSigned by:  
6AF22D99E8FE458  
Name: Laura Newman  
Its: Authorized Signatory

**Contract Control Number:**  
**Contractor Name:**

PARKS-202582745-01 / 202473847-01  
JV LODO DENARGO LLC

**District:**

**DENARGO MARKET METROPOLITAN  
DISTRICT NO. 1,**  
a quasi-municipal corporation and political  
subdivision of the State of Colorado

By:   
Name Laura Newman  
Title: President