

## THIRD AMENDATORY AGREEMENT

This **THIRD AMENDATORY AGREEMENT** is made between the **CITY AND COUNTY OF DENVER**, a municipal corporation of the State of Colorado (the “**City**”), and **THE STAPLETON FOUNDATION FOR SUSTAINABLE URBAN COMMUNITIES** (“**Foundation**”), jointly “**the Parties**”.

### RECITALS:

**A.** The Parties entered into an agreement executed on or about October 3, 2017, a First Amendatory Agreement executed on or about June 11, 2019, and a Second Amendatory Agreement executed on or about January 15, 2020 (collectively, the “**Agreement**”), for the performance of certain obligations set forth in that Agreement.

**B.** The Parties wish to amend the Agreement to extend the Term.

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

1. Paragraph 4.A. of the Agreement entitled “Term:” is amended to read as follows:

“A. Term: The term of this Agreement shall commence on May 15, 2017, and shall expire on December 31, 2021, unless sooner terminated pursuant to the terms of this Agreement or extended by an amendment to this Agreement executed in the same manner as this Agreement (“**Term**”).”

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

3. This Third 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.

4. Electronic Signatures and Electronic Records. The Foundation consents to the use of electronic signatures by the City. This Third Amendatory Agreement, and any other documents requiring a signature hereunder, may be signed electronically by the City in the manner specified by the City. The Parties agree not to deny the legal effect or enforceability of this Third Amendatory Agreement solely because it is in electronic form or because an electronic record was used in its formation. The Parties agree not to object to the admissibility of the Agreement in the form of an electronic record, or a paper copy of an electronic document, or a paper copy of a document bearing an electronic signature, on the ground that it is an electronic record or electronic signature or that it is not in its original form or is not an original.

**[THE BALANCE OF THIS PAGE IS INTENTIONALLY LEFT BLANK;  
SIGNATURE PAGES FOLLOW.]**

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

PARKS-201735011-03 / 202056137  
THE STAPLETON FOUNDATION FOR SUSTAINABLE  
URBAN COMMUNITIES

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-201735011-03 / 202056137  
THE STAPLETON FOUNDATION FOR SUSTAINABLE  
URBAN COMMUNITIES

DocuSigned by:  
*Alisha Brown*  
By: 2AC431D1615C4EB...

Name: Alisha Brown  
(please print)

Title: Senior Vice President  
(please print)

ATTEST: [if required]

By: \_\_\_\_\_

Name: \_\_\_\_\_  
(please print)

Title: \_\_\_\_\_  
(please print)