Grantor: **Federal Emergency Management Agency, acting by and through the Emergency Food and Shelter Program National Board**
Budget Period: **01/01/2023 to 04/30/2024**
Grant Name: **Emergency Food and Shelter Program**
Denver Contract Number: **202473196-00**
Grant Amount: **$2,879,123.01**

1.   Notwithstanding any other term or condition hereof, the Recipient is the City and County of Denver, a Colorado municipal corporation, on behalf of the Denver Department of Finance and Recipient represents it is a "public entity" within the meaning of the Colorado Governmental Immunity Act, C.R.S. §§ 24-10-101, *et seq.,* as amended ("Immunity Act").

2.   Notwithstanding any other term or condition of the Grant, the obligation of the Recipient for all or any part of any payment obligations pertaining to the Grant, whether direct or contingent, over and above expenditure of the funds received from the Grant, shall only extend to utilization and payment of monies duly and lawfully approved and appropriated for the purpose of the Grant by the City Council of the Recipient and paid into the Treasury of the Recipient. The Recipient does not by this Grant irrevocably pledge present cash reserves for payments in future fiscal years, and the Grant is not intended to create a multiple-fiscal year direct or indirect debt or financial obligation of the Recipient. If applicable, the Recipient has committed matching funds for this Grant in the amounts stated herein.

3.   It is expressly understood and agreed that enforcement of the terms and conditions of this Grant, and all rights of action relating to such enforcement, shall be strictly reserved to the Grantor and Recipient, and nothing contained in this Grant shall give or allow any such claim or right of action by any other or third person or entity on such Grant. It is the express intention of the Recipient that any person or entity other than the Recipient receiving services or benefits under this Grant be deemed to be an incidental beneficiary only.

> *Remainder of page left intentionally blank.*
> *Signatures follow.*