

## FOURTH AMENDATORY AGREEMENT

**THIS FOURTH AMENDATORY AGREEMENT** is made between the **CITY AND COUNTY OF DENVER**, a municipal corporation of the State of Colorado (the “City”) and **AEG LIVE – ROCKY MOUNTAINS, LLC**, a Delaware limited liability company, whose address is 930 W. 7th Avenue, Denver, CO 80204 (“Contractor” and, together with the City, the “Parties”).

### RECITALS

**A.** The City and Contractor entered into an Agreement dated January 13, 2014, as amended by an Amendatory Agreement dated January 27, 2015, a Second Amendatory Agreement dated March 24, 2016, and a Third Amendatory Agreement dated March 3, 2017 (collectively, the “Agreement”) relating to incentives for promoting shows at City venues.

**B.** The City and Contractor wish to amend the Agreement to extend the term and increase the maximum compensation.

**NOW, THEREFORE**, the Parties hereby agree as follows:

**1.** Section 4 of the Agreement, entitled “**TERM**,” is hereby amended to read as follows:

“**TERM**: The term of this Agreement shall commence on January 1, 2014 and end at midnight on December 31, 2018.”

**2.** The term extension is intended to provide Contractor with the opportunity to earn an incentive payment on account of shows promoted in 2018, not to permit an incentive payment based on shows promoted over the combined 5-year period. To that end, references in Section 1 of the Agreement to 2014, 2015, 2016, and 2017 are hereby amended to include 2018, to permit a commission payment on account of shows promoted in 2018 on the same terms and conditions as the 2014, 2015, 2016, and 2017 commission program.

**3.** The first sentence of Section 5 of the Agreement, entitled “**FUNDING**,” is hereby amended to read as follows:

“Payments to AEG hereunder shall be made only after revenue from Qualifying Events is received as provided in section 1 above, and shall not in any event exceed Eight Million Nine Hundred Thousand and No/100 Dollars (\$8,900,000.00), unless this Agreement is modified to increase said amount by a duly authorized and written amendment to this Agreement executed by the parties in the same manner as this Agreement.”

**4.** Except as amended in this Fourth Amendatory Agreement, the Agreement is revived, affirmed, and ratified in each and every particular.

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**Contract Control Number:**

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:

By \_\_\_\_\_


By \_\_\_\_\_

By \_\_\_\_\_



**Contract Control Number:** THTRS-201313532-04

**Contractor Name:** AEG LIVE - ROCKY MOUNTAINS LLC

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

Name: Brent Fedrizzi  
(please print)

Title: CO-president  
(please print)

**ATTEST: [if required]**

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

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

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

