

## FIRST AMENDATORY AGREEMENT

**THIS FIRST AMENDATORY AGREEMENT** is made between the **CITY AND COUNTY OF DENVER**, a municipal corporation of the State of Colorado (the “City”) and **RYAN PHILLIAN**, an individual and employee of the City (“Employee”), jointly “the Parties”.

### RECITALS

**A.** The Parties entered into an Agreement dated April 12, 2019 (the “Agreement”), with regard to caretaker services and duties; and

**B.** The Parties now wish to amend the Agreement to extend the term date and modify other provisions of the Agreement.

**NOW, THEREFORE**, the Parties hereby amend the Agreement as follows:

**1.** Subsection 1 of Article IV. of the Agreement is amended to read as follows:

“The Employee may use the Housing specified herein as a private residence for the Employee and his or her immediate family as long as it is beneficial to the City. The term of this Agreement as it affects Housing shall expire April 12, 2027, unless otherwise terminated or extended (“Term”). City shall assess the Housing and property in order to determine whether to extend the Term. However, the Term of this Agreement is not intended to affect Employment status. If Employment has been previously terminated, then the Housing Agreement may be terminated.”

**2.** A subsection 14 is added to Article IV. of the Agreement to read as follows:

“Caretaker hours performed as a part of supplemental services, offset against the fair market value rent, will be tracked and submitted to the Employee’s supervisor monthly. Annual caretaker hours will be submitted to the DMP Director and DPR Contract Administrator by January 31<sup>st</sup> of the following year.”

**3.** A subsection 15 is added to Article IV. of the Agreement to read as follows:

“The DMP Director shall annually recalculate and track the fair market rent value of the property in relation to Employee hours, and review with the DPR Director of Finance by March 1<sup>st</sup> each year.”

**4.** Except as herein amended, the Agreement is affirmed and ratified in each and every particular.

**5.** This First 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.

**[SIGNATURE PAGES FOLLOW]**

**Contract Control Number:** PARKS-202472557-01 / 201947937-01  
**Contractor Name:** Ryan Phillian

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:

\_\_\_\_\_

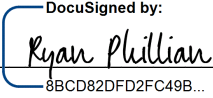
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By:

\_\_\_\_\_

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

PARKS-202472557-01 / 201947937-01  
Ryan Phillian

By:  \_\_\_\_\_  
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Name: Ryan Phillian  
(please print)

Title: Park Ranger Supervisor  
(please print)

ATTEST: [if required]

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

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

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