

AMENDATORY AGREEMENT

THIS AMENDATORY AGREEMENT is made and entered into by and between the **CITY AND COUNTY OF DENVER**, a municipal corporation of the State of Colorado (the "City"), and **SCHUR SUCCESS AUCTION SERVICES**, a Colorado corporation, with its principal place of business located at 366 Second St., Ste B, Monument, CO 80132 (the "Consultant"), collectively "the Parties."

WITNESSETH:

WHEREAS, the Parties entered into an Agreement dated February 23, 2011 (the "Agreement"), relating to auctioneering services; and

WHEREAS, the Parties wish to amend the Agreement to extend the term and increase the compensation to the Consultant as follows; and

NOW, THEREFORE, in consideration of the premises and the mutual covenants and obligations herein set forth, the Parties agree as follows:

1. Article 3 of the Agreement entitled "TERM" is amended to read as follows:

"3. **TERM**: The Agreement will commence on April 1, 2011 and will expire on July 31, 2016 (the "Term")."

2. Article s 4(a) and 4(d)(1) of the Agreement entitled "Fee" and "Maximum Contract Amount" are amended to read as follows:

"4. **COMPENSATION AND PAYMENT**:

a. **Fee**: The City shall pay and the Consultant shall accept as the sole compensation for services rendered and costs incurred under the Agreement **ONE MILLION DOLLARS AND 00/100 CENTS**. Amounts billed may not exceed the budget set forth in Exhibit A.

d. **Maximum Contract Amount**:

(1) Notwithstanding any other provision of the Agreement, the City's maximum payment obligation will not exceed **ONE MILLION DOLLARS AND 00/100 CENTS** (the "Maximum Contract Amount"). The City is not obligated to execute an Agreement or any amendments for any further services, including any services performed by Consultant beyond that specifically described in Exhibit A. Any services performed beyond those in Exhibit A are performed at Consultant's risk and without authorization under the Agreement."

3. This Amendatory Agreement may be executed in counterparts, each of which shall be

deemed to be an original, and all of which, taken together, shall constitute one and the same instrument.

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

[SIGNATURE PAGES FOLLOW]

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: GENRL-CE12022-01

Contractor Name: SCHUR SUCCESS AUCTION SERVICES

By: 

Name: Shannon M Schur
(please print)

Title: President
(please print)

ATTEST: [if required]

By: _____

Name: _____
(please print)

Title: _____
(please print)

