

## FIRST AMENDATORY PARKS USE AGREEMENT

**THIS FIRST AMENDATORY PARKS USE 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 **DOWNTOWN DENVER EVENTS, INC.** (the “User”), jointly “the Parties.”

### RECITALS

**A.** The Parties entered into a Parks Use Agreement executed on June 10, 2020 (the “Agreement”) for the issuance of a permit authorizing User to hold certain events in Skyline Park as set forth in the Parks Use Agreement; and

**B.** Due to circumstances outside of either Parties’ control, which resulted in User’s inability to utilize a previously issued permit under the Parks Use Agreement, the City agrees to extend the end term date of the Parks Use Agreement as set forth in this First Amendatory Parks Use Agreement.

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

**1.** Section 7.1 of the Agreement entitled “Term” is amended to read as follows:

“The term of this Agreement will commence on March 1, 2020 and expire February 28, 2023 (the “**Term**”), unless sooner terminated in accordance with the terms of this Agreement, including without limitation those provisions set forth in Article 8 herein. City may in its sole discretion and determination extend the end term date of this Agreement by no more than one (1) additional year without further amendment and under the same terms, conditions and requirements of the Agreement or Permit, as either may be amended. City may also in its sole discretion add to or modify the requirements of the Agreement or Permit as may be necessary. If the time needed to complete performance of any provisions of this Agreement extends beyond the Term specified above (including, but not limited to, any payment of any applicable fee, the Damage Deposit, and inspections under Article 4 of this Agreement and any provisions that expressly survive the expiration or termination of this Agreement), this Agreement shall remain in full force and effect but only as to such provisions.”

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

**3.** This First Amendatory Parks Use 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-202053400-01/202161211  
**Contractor Name:** DOWNTOWN DENVER EVENTS, INC.

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-202053400-01/202161211  
DOWNTOWN DENVER EVENTS, INC.

DocuSigned by:  
*Sharon Alton*  
By: 7197FFFF275443A

Name: Sharon Alton  
(please print)

Title: Sr Vice President, Downtown Experience  
(please print)

ATTEST: [if required]

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

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

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