

## 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 the **DENVER ZOOLOGICAL FOUNDATION, INC.**, a Colorado non-profit corporation, whose address is 2300 Steele Street, Denver, Colorado 80205 (the "Foundation").

### WITNESSETH:

**WHEREAS**, the City and the Foundation previously entered into an Agreement dated November 15, 2001 (the "Agreement") relating to the financing of the Parking Garage as defined in the Agreement; and

**WHEREAS**, the City has recently refinanced the transaction and has determined to pass the benefit realized by the refinancing to the Foundation in recognition of budget impact caused by the response to the global pandemic known as COVID-19;

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

1. The revised payment schedule is attached hereto and incorporated herein as **Exhibit A-1** and all references to "Exhibit A" are hereby amended to read "**Exhibits A and A-1** as applicable".

2. The effective date of this Amendment is as of October 14, 2020.

3. Paragraph III of the Agreement, entitled "TERM," is amended to read as follows:

**III. TERM:** The Agreement will commence on November 15, 2001 (the "Effective Date") and will expire on receipt by the City of the Final Scheduled Zoo Payment as shown on Exhibit A-1.

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

*Remainder of page intentionally left blank.*

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

PARKS-202157721 / RC1Y027-01  
DENVER ZOOLOGICAL FOUNDATION, 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:**  
  
Attorney for the City and County of Denver  
  
By: \_\_\_\_\_

**REGISTERED AND COUNTERSIGNED:**  
  
By: \_\_\_\_\_

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

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

PARKS-202157721 / RC1Y027-01  
DENVER ZOOLOGICAL FOUNDATION, INC.

DocuSigned by:  
*Charlie Wright*  
By: 2A0081BA4B8B481...

Name: Charlie wright  
(please print)

Title: CFO  
(please print)

ATTEST: [if required]

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

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

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

**EXHIBIT A-1**

**(exhibit follows)**

## Zoo 2021 Amended Schedule of Remaining Payments

Year	Zoo Payment Date	Payments	Yearly Total
2020	10/15/2020	\$0.00	
2021	4/15/2021	16,490	
	10/15/2021	16,490	32,979
2022	4/15/2022	15,556	
	10/15/2022	409,654	425,210
2023	4/15/2023	13,630	
	10/15/2023	410,556	424,186
2024	4/15/2024	12,500	
	10/15/2024	411,928	424,428
Total		1,306,803	1,306,803