

**FIRST AMENDMENT TO
INTERGOVERNMENTAL AGREEMENT
REGARDING LANDSCAPE MAINTENANCE OF THE PUBLIC RIGHT-OF-WAY
ADJACENT TO THE PARK MEADOWS MALL**

This **FIRST AMENDMENT TO INTERGOVERNMENTAL AGREEMENT** (the “Amendment”) is entered into effective as of December 31, 2017, by and between the **PARK MEADOWS METROPOLITAN DISTRICT**, a quasi-municipal corporation and political subdivision of the State of Colorado (the “District”) and **PARK MEADOWS BUSINESS IMPROVEMENT DISTRICT**, a quasi-municipal corporation and political subdivision of the State of Colorado (the “BID”). The District and the BID are collectively referred to herein as the “Parties.”

RECITALS

WHEREAS, the District and the BID are parties to that certain Intergovernmental Agreement Regarding Landscape Maintenance of the Public Right-of-Way Adjacent to the Park Meadows Mall, dated as of April 22, 2015 (the “IGA”); and

WHEREAS, in accordance with Paragraph 10 of the IGA, the IGA may be modified upon mutual written agreement authorized and executed by the Parties; and

WHEREAS, the term of the IGA expires on December 31, 2017; and

WHEREAS, the Parties desire to extend the term of the IGA to December 31, 2019.

NOW, THEREFORE, in consideration of the foregoing, and in consideration of the mutual promises and covenants contained herein and other good and valuable consideration, the sufficiency of which is hereby acknowledged, the Parties agree as follows:


1. **TERM.** The term of the IGA shall be extended to December 31, 2019.
2. **FULL FORCE AND EFFECT.** Except as modified herein, all other provisions of the IGA shall remain in full force and effect and are not modified, changed, or amended by this Amendment.
3. **COUNTERPARTS.** This Amendment may be executed in counterparts, each of which shall be deemed an original and all of which together shall constitute one and the same instrument.
4. **SUBJECT TO ANNUAL BUDGET AND APPROPRIATION.** Neither the District nor the BID intends hereby to create a multiple-fiscal year direct or indirect debt or other financial obligation whatsoever. The performance of those obligations of the District and the BID hereunder are subject to annual budgeting and appropriations.

(Signatures Appear on Following Page)

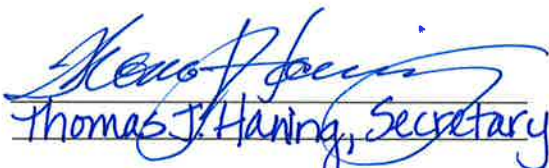
IN WITNESS WHEREOF, the Parties have entered this Amendment effective as of the date first written above. By signature of its representatives below, each party affirms it has taken all necessary action to authorize said representative to execute this Amendment.

DISTRICT:

PARK MEADOWS METROPOLITAN DISTRICT, a quasi-municipal corporation and political subdivision of the State of Colorado

By: 
Greg Kelly, President

ATTEST:

By: 
Thomas J. Haning, Secretary

BID:

PARK MEADOWS BUSINESS IMPROVEMENT DISTRICT, a quasi-municipal corporation and political subdivision of the State of Colorado

By: 
Its: _____

John M. Mullins
PM Business Improvement District

DISTRICT MANAGER

ATTEST:

By: 
W. L. MUMBLE, DIRECTOR OF DISTRICT OPERATIONS