

ADDENDUM NO. 1

**TO AGREEMENT BY AND BETWEEN COUNTY OF MONTEREY
AND COMMUNITY FOUNDATION FOR MONTEREY COUNTY**

This Addendum No. 1 amends, modifies, and supplements the County of Monterey Agreement by and between the **COUNTY OF MONTEREY**, a political subdivision of the State of California (hereinafter “County”) and **COMMUNITY FOUNDATION FOR MONTEREY COUNTY** (hereinafter “CONTRACTOR”). This Addendum No. 1 has the full force and effect as if set forth within the Agreement and is incorporated by reference and made a part of the Agreement. Notwithstanding the provision of Section 16.16 of the Agreement, to the extent that any of the terms or conditions contained in this Addendum No. 1 may contradict or conflict with any of the terms and conditions of the Agreement, it is expressly understood and agreed that the terms and conditions of this Addendum No. 1 shall take precedence and supersede the Agreement.

NOW, THEREFORE, County and CONTRACTOR agree that the Agreement terms and conditions shall be amended, modified, and supplemented as follows:

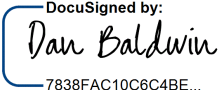
1. Section 8.0 of the Agreement shall be deleted and restated in its entirety to read as follows:

8.0 Each party shall indemnify, defend, and hold harmless the other, its officers, agents, employees, or subcontractors from any claim, liability, loss, injury or damage arising out of, or in connection with, performance of this Agreement by the indemnifying party and/or its officers, agents, employees, students, or subcontractors, excepting only loss, injury or damage caused by the negligence or willful misconduct of the indemnified party and/or its officers, agents, employees and subcontractors. The indemnifying party shall reimburse the other for all costs, attorneys’ fees, expenses, and liabilities incurred with respect to any litigation in which the indemnifying party is obligated to indemnify, defend, and hold harmless the other under this Agreement.

***** THIS SECTION INTENTIONALLY LEFT BLANK *****

IN WITNESS WHEREOF, the parties hereto have executed this Addendum No. 1, by the authority as follows:

CONTRACTOR – Community Foundation for Monterey County

Approved: 
By: _____

Dan Baldwin, President/CEO
Name and Title

Date: 7/18/2023 | 12:06 PM PDT

Approved:
By: _____

Name and Title

Date: _____

COUNTY OF MONTEREY

Approved as to Form:
By: _____
Deputy County Counsel

Date: _____

Approved:
By: _____
Auditor/Controller

Date: _____

Approved:
By: _____
Director of Health