

**AGREEMENT BETWEEN THE COUNTY OF MONTEREY AND
URBAN PARK CONCESSIONAIRES DBA MONTEREY LAKES
RECREATION COMPANY RESTATING TERMS OF MAY 3, 2011
AGREEMENT WITH ADDENDUMS NOS. 1 AND 2**

WHEREAS, Urban Parks Concessionaires, A California Corporation, DBA Monterey Lakes Recreation Company ("CONTRACTOR"), and the County of Monterey a political subdivision of the State of California, ("COUNTY") previously entered into an agreement dated May 3, 2011, and effective through October 31, 2012, to manage the resort business at Lake San Antonio and Lake Nacimiento ("PRIOR AGREEMENT"); and

WHEREAS, COUNTY and CONTRACTOR amended the PRIOR AGREEMENT previously on October 23, 2012, to provide for a one-year extension through October 31, 2013, via ADDENDUM NO. 1; and

WHEREAS, COUNTY and CONTRACTOR amended the PRIOR AGREEMENT previously on March 18, 2014 to extend the term through January 31, 2015 via ADDENDUM NO. 2; and

WHEREAS, the terms of the PRIOR AGREEMENT, as referenced and adopted in this AGREEMENT, include the amendments made by ADDENDUM NOS. 1 and 2; and

WHEREAS, the PRIOR AGREEMENT expired pursuant to its terms on February 1, 2015; and

WHEREAS, COUNTY and CONTRACTOR wish to enter into a new agreement ("AGREEMENT") on substantially the same terms as previously agreed to and retroactive to February 1, 2015; and

NOW THEREFORE, for valuable consideration, the sufficiency of which is hereby acknowledged, COUNTY and CONTRACTOR agree as follows:

1. All of the terms of the PRIOR AGREEMENT, as amended by ADDENDUM NOS. 1 and 2, a copy of which is attached hereto as Exhibit A, excepting the effective dates and term of duration, are hereby incorporated into and agreed to in this AGREEMENT.
2. Notwithstanding the above, Section 3 of ADDENDUM NO. 2 deleting Section 3.9 of the original PRIOR AGREEMENT is not incorporated herein; the parties agree that Section 3.9 concerning marketing activities is included as a term of this AGREEMENT retroactive to July 1, 2015.
3. Notwithstanding the above, Section 5.3 of PRIOR AGREEMENT is deleted.
4. This AGREEMENT authorizes CONTRACTOR to sell Alcoholic Beverages and will pay the COUNTY eight percent of gross sales. This provision is retroactive to July 1, 2015.

5. This AGREEMENT shall be effective retroactively to February 1, 2015, and all of its provisions shall be deemed to have been in effect continuously since that time.
6. The term of this AGREEMENT shall be from February 1, 2015 through July 26, 2016.

IN WITNESS WHEREOF, the County and CONTRACTOR execute this AGREEMENT as follows:

COUNTY OF MONTEREY



Contracts/Purchasing Officer

Dated: 7-27-16

Dated: _____

Approved as to Form:

Deputy County Counsel

Dated: _____

CONTRACTOR

By: 

*Signature of Chair, President, or
 Vice-President*

JOHN W. KOEBERER

 Printed Name and Title

Dated: July 9, 2016

By: _____
*(Signature of Secretary, Asst. Secretary, CFO,
 Treasurer or Asst. Treasurer)**

 Printed Name and Title

Dated: _____

*INSTRUCTIONS: If CONTRACTOR is a corporation, including limited liability and non-profit corporations, the full legal name of the corporation shall be set forth above together with the signatures of two specified officers. If CONTRACTOR is a partnership, the name of the partnership shall be set forth above together with the signature of a partner who has authority to execute this Agreement on behalf of the partnership. If CONTRACTOR is contracting in an individual capacity, the individual shall set forth the name of the business, if any, and shall personally sign the Amendment.

Agreement between Monterey County & Urban Parks Concessionaires Restating Prior Terms and Conditions

