

RECORDING REQUESTED BY:

Teresa Gardner, City Clerk
City of Sparks
431 Prater Way
Sparks, NV 89431

PARKING AGREEMENT

AMENDMENT NO. 2

DATED as of _____, 2018

RECITALS

A. A "Parking Agreement" (the "Agreement") was entered into on October 10, 2016 between the **SPARKS REDEVELOPMENT AGENCY** ("Agency"), the **CITY OF SPARKS** ("City"), and **SYUFY ENTERPRISES**, a California limited partnership ("Syufy"). Pursuant to the Agreement the City agreed to continue to provide free parking, subject to certain limitations, in the City-owned parking facility ("Parking Structure") located adjacent to Syufy's movie theatre property ("Theatre") to Syufy and its tenants and customers that may utilize the Parking Structure.

B. "Amendment No. 1" to the Agreement was approved by the Agency, the City and Syufy on October 23, 2017. Amendment No. 1: changed the date by which the Theatre must open to the public to September 30, 2018 and the automatic termination date of the Agreement to October 1, 2018; granted Syufy or Galaxy Theatres, Syufy's tenant for the Theatre ("Galaxy"), the right to construct, at their sole expense, a pedestrian entrance from the Parking Structure to the Theatre; and, added indemnification provisions.

C. Galaxy has experienced additional delays in their renovations to the Theatre that will likely cause the Theatre's re-opening to occur after the September 30, 2018 deadline set in Amendment No. 1. For this reason, Syufy has requested additional extensions of the dates for completion of the renovation and re-opening of the Theatre and automatic termination of the Agreement.

D. The parties desire to amend the terms of the Agreement to provide additional time for renovation and re-opening of the Theatre.

NOW THEREFORE, the parties agree as follows:

¶A.1.A Term of Agreement. The Agreement is hereby changed in Section 2 (Term) to change the date by which the Theatre must be open for public operation to November 14, 2018 and extend the automatic termination date to November 15, 2018.

WHEREOF, the parties have executed this Agreement to be effective as of the Effective Date.

CITY

CITY OF SPARKS,
a municipal corporation

By: _____

Name: Geno Martini

Title: Mayor

Date: _____, 2018

Attest: _____

By: _____

Name: Teresa Gardner

Title: City Clerk

Date: _____, 2018

Attest: _____

Approved as to form:

By: _____

Name: _____

Title: City Attorney

Date: _____, 2018

AGENCY

THE SPARKS REDEVELOPMENT AGENCY,
a municipal corporation

By: _____

Name: Charlene Bybee

Title: Chair

Date: _____, 2018

Attest: _____

By: _____

Name: Teresa Gardner

Title: Agency Secretary

Date: _____, 2018

By: _____

Name: _____

Title: City Attorney

Date: _____, 2018

SYUFY

SYUFY ENTERPRISES,
a California limited partnership,

By: _____

Name: _____

Title: _____

Date: _____, 2018