

**FIRST AMENDMENT
TO
COMMERCIAL FULL SERVICE OFFICE LEASE**

This AMENDMENT, dated effective as of May __, 2020, among **CITY OF ROELAND PARK, KANSAS** (the “City”) and **SCENIC ROAD PRODUCTIONS, INC.** located at 4600 W. 51st Street, Roeland Park, KS 66205 (“**Scenic Road**”) (collectively, the City and Scenic Road referred to herein as the “Parties”), constitutes an amendment (the “**Amendment**”) to the COMMERCIAL FULL SERVICE LEASE commenced on August 1, 2016 (“**Lease**”).

RECITALS:

WHEREAS unforeseen circumstances have impacted Section 4 of the Lease and necessitated a modification to Section 4 through an Amendment;

WHEREAS, the Parties desire to amend the Lease upon the terms and conditions as set forth herein;

NOW, THEREFORE, it is agreed to by the Parties that Section 4 of the Lease is amended as follows:

The Parties agree that each month’s rent between April 1, 2020 and December 31, 2020, shall be based on the New Business Funds that Scenic Road generates each month. “New Business Funds” shall mean the revenue from new business contracts signed on or after May 1, 2020 that is generated from the first day of each month until the last day of each month during the Special Rent Period. The “Special Rent Period” shall refer to the months between April 1, 2020 and December 31, 2020.

Scenic Road agrees to pay the following calculation of rent based New Business Funds during the Special Rent Period:

- When New Business Funds in any month during the Special Rent Period are equal to or less than 65 percent of \$150,000, Scenic Road shall pay 50 percent of rent owed in accordance with Section 4 for that month;
- When New Business Funds in any month during the Special Rent Period are between 66 percent of \$150,000 and 84 percent of \$150,000, Scenic Road shall pay 75 percent of rent owed in accordance with Section 4 for that month;
- When New Business Funds in any month during the Special Rent Period are equal to at least 85 percent of \$150,000, Scenic Road shall pay 100 percent of rent owed in accordance with Section 4 for that month.

The third party accounting firm of Isley, Curry & Howerton will report each month's New Business Funds to Roeland Park City Hall by the 10th day of every month during the Special Rent Period. Rent will be due on the 15th day of every month between May 1, 2020 and January 15, 2021.

The City has discretion to revert the rent owed to the amount set forth in Section 4 for the Special Rent Period upon providing 60 days written notice to Scenic Road.

The rent rates as stated in Section 4 beginning on January 1, 2021 shall remain unchanged.

IN WITNESS WHEREOF, the undersigned do hereby set their hand and seal effective as of May__, 2020.

Dated: _____

SCENIC ROAD PRODUCTIONS, INC.,

By: _____
Principal,

Attested by: _____
Clerk

CITY OF ROELAND PARK, KANSAS,

By: _____
City Manager, Keith Moody

Attested by: _____
City Clerk, Kelly Nielsen

Approved as to Form: _____
City Attorney, Steven E. Mauer