

Amendment No. 1
to Facilities Use Agreement Entered into By and Between
Davis Joint Unified School District and Davis Kids Klub

THIS AMENDMENT No. 1 dated as of June 1, 2016, (“Amendment”) modifies the Facility Use Agreement Entered into by and Between the Davis Joint Unified School District (“District”) and the David Kids Klub (“DKK”) dated June 30, 2013.

The Agreement is hereby modified as follows:

1. Delete Section 1. Term, in its entirety and replace it with the following:

Section 1. Term.

This Agreement shall be for a term of three (3) years commencing on the first day of June 2016, and ending on the 30th day of May 2019. The term may be terminated only as expressly provided for in Section 11 of this Agreement. The Agreement may be renegotiated in April 2019 for a subsequent term, as mutually agreed in writing between the Parties.

2. Delete Section 3. Payment, subsection (A), in its entirety and replace it with the following:

Section 3. Payment.

(A) In consideration for DKK’s use of the DISTRICT School Sites pursuant to this Agreement, DKK shall pay to DISTRICT the following for each School Site.

(1) \$1,600 per School Site per month during the months of August through May (“Facility Fee”).

(2) \$3,200 per School Site designated for summer use by the Parties for the two month summer session (runs from mid-June to mid-August), payable on or before June 10th of each year.

(3) An energy surcharge of \$2.50 (two dollars and fifty cents) per School Site for each hour, or portion thereof, DKK uses any indoor areas of each School Site (“Energy Fee”). The Energy Fee is subject to revision during the Term of this Agreement based on the District’s Fee Schedule as adopted by the District’s Governing Board as applicable to all District Facilities. If the District changes the amount of the Energy Fee in the District’s Fee

Schedule, the District shall provide notice to DKK of the effective date of such revision.

3. There are no other changes.

IN WITNESS WHEREOF, this Amendment has been duly executed by each party as of the date and year first above written.

DAVIS JOINT UNIFIED SCHOOL DISTRICT

DAVIS KIDS KLUB

By: _____

By: _____

Title: _____

Title: _____