

AMENDMENT TO MANAGEMENT AGREEMENT (CONTRACT #5797)

THIS AMENDMENT TO MANAGEMENT AGREEMENT, made and entered into on the ___ day of _____, 2013, by and between LEXINGTON FAYETTE URBAN COUNTY GOVERNMENT, hereinafter referred to as "Owner", and KENTUCKY THEATER MANAGEMENT GROUP, INC. hereinafter referred to "Manager".

WITNESSETH:

WHEREAS, Owner and Manager entered into a Management Agreement for Manager to operate and manage, for a fee, the theaters located at 212 East Main Street, Lexington, Kentucky (hereinafter the "Kentucky Theater") and at 218 East Main Street, Lexington, Kentucky (hereinafter the "State Theater"); and,

WHEREAS, Management Agreement was entered into on the 1st day of December, 2006, (R-693-2006) and a copy of the management agreement is attached, Labeled Exhibit "A", and incorporated by reference; and,

WHEREAS, management agreement was amended in 2012 by resolution (R-521-2012); and,

WHEREAS, management agreement stipulates that the term of the amended agreement expires on October 31, 2013 and Manager has expressed a desire to continue to operate and manage the theaters and provide other services as specified in the agreement; and,

WHEREAS, Owner has the desire for Manager to continue to operate and manage the theaters and provide those services as stipulated in the management agreement;

NOW, THEREFORE, Owner and Manager hereby agree that the aforesaid Management Agreement shall be amended as follows:

1. Owner and Manager agree that the term of the Management Agreement shall be extended for a period of one (1) year, beginning November 1, 2013 and ending October 31, 2014.
2. That the extended term of the agreement shall automatically renew each year for one (1) additional year unless written notification to terminate is provided by either party at least ninety (90) days prior to expiration of the then existing term.
3. That all other terms and provisions of the aforesaid Management Agreement shall remain unchanged and are hereby reaffirmed, ratified, adopted, and incorporated by reference into this Amendment to Management Agreement, and that the aforesaid Management Agreement and this Amendment to Agreement may not be modified or amended in any manner except by an instrument in writing executed by the parties.

IN WITNESS WHEREOF, the parties have executed this Amendment to Management Agreement as the day and year first written above.

OWNER:
LEXINGTON FAYETTE URBAN COUNTY GOVERNMENT

BY: _____ DATE: ___/___/___
JIM GRAY - MAYOR

MANAGER:
KENTUCKY THEATER MANAGEMENT GROUP, INC.

BY: Analy Scorsone DATE: 8/2/13
ANALY SCORSONE - PRESIDENT

WITNESS:

ATTEST:

Clerk of Urban County Council