

RESOLUTION NO. 31250

A RESOLUTION AUTHORIZING THE MAYOR OR HIS DESIGNEE TO ENTER INTO AN AMENDMENT TO STANDARD PREMISES USE AGREEMENT AND AGREEMENT TO EXERCISE OPTION TO RENEW, IN SUBSTANTIALLY THE FORM ATTACHED, WITH CHATTANOOGA FLYING DISC CLUB, INC., FOR THE TERM THROUGH JUNE 30, 2023.

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BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, TENNESSEE, That it is hereby authorizing the Mayor or his designee to enter into an Amendment to Standard Premises Use Agreement and Agreement to Exercise Option to Renew, in substantially the form attached, with Chattanooga Flying Disc Club, Inc., for the term through June 30, 2023.

ADOPTED: August 23, 2022

/mem

## **AMENDMENT TO STANDARD PREMISES USE AGREEMENT AND AGREEMENT TO EXERCISE OPTION TO RENEW**

This Amendment to Standard Premises Use Agreement and Agreement to Exercise Option to Renew (the "Amendment and Renewal") is made and entered into as of July 1, 2022, by and between City of Chattanooga ("City") and the Chattanooga Flying Disc Club, Inc. ("Disc Club") (the City and the Disc Club are collectively referred to as the Parties). The Parties agree as follows:

### **RECITALS**

- A. City and the Disc Club entered into that certain Standard Premises Use Agreement effective July 1, 2020 (the "Original Agreement").
- B. The Parties entered into an Agreement to Exercise Option to Renew the Original Agreement effective July 1, 2021 and ending on June 30, 2022.
- C. The Parties now wish to amend and renew the Original Agreement as provided herein.

### **AMENDMENT**

- 1. The Original Agreement is hereby amended by the addition of the following as Paragraph 36:

36. **Termination for Convenience.** City reserves the right to terminate this Agreement or any part of this Agreement at its sole convenience upon thirty (30) days' written notice to Tenant.

- 2. The Original Agreement is further amended by the addition of the following as Paragraph 37:

37. **Temporary Construction.** During the term of this Renewal, Disc Club understands and agrees that construction for the new alignment of the access road that leads to the Premises for disc golf and soccer fields in the N. Access Dupont Park area may be impacted affecting ingress and egress to the Premises.

### **RENEWAL**

As set forth in Paragraph 1. of the Original Agreement, the Parties wish to extend the term for one (1) year beginning on July 1, 2022 and ending on June 30, 2023. After June 30, 2023, there remains one (1) option to extend the Original Agreement.

### **NO OTHER AMENDMENTS**

Except as expressly amended herein, the Original Agreement remains in full force and effect.

**IN WITNESS WHEREOF**, the Parties hereto have executed this Amendment and Renewal as of the day and year first above written.

**CITY OF CHATTANOOGA**

**CHATTANOOGA FLYING DISC  
CLUB, INC.**

By: \_\_\_\_\_  
Tim Kelly, Mayor

By: \_\_\_\_\_  
Kevin Matthew Turner, Golf Director