

**FIRST AMENDMENT
TO
LICENSE TO USE CITY PROPERTY**



This First Amendment to License to Use City Property is dated as of the date of the last signature below. It is by and between the City of Everett, a municipal corporation under the laws of the State of Washington (“City”), and Schnack Shack LLC (“Schnack Shack”).

RECITALS

A. The City and Schnack Shack are parties to the License to Use City Property dated on or about January 30, 2022 (the “License”). The License had an initial one-year term from April 1, 2022, to March 30, 2023.

B. After April 1, 2023, the City and Schnack Shack performed under the License, and Schnack Shack paid 10% of gross proceeds to use the concession area at Phil Johnson ballfields. However, the City and Schnack Shack cannot locate the executed amendment formally extending the License. Accordingly, one purpose of this First Amendment is to confirm that the License has remained continuously in effect since April 1, 2023.

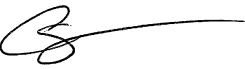
C. The City and Schnack Shack also desire to further extend the License, so that it expires on March 30, 2025.

AGREEMENT

The City and Schnack Shack agree as follows:


1. The parties agree that, regardless of dates of execution of this Amendment, the License will be deemed, whether by reinstatement or by re-incorporation of its entirety herein or otherwise, for all purposes to have not previously expired, but instead to have remained continuously in effect since April 1, 2022.
2. The License is extended so that it expires on March 30, 2025.
3. Execution of this Amendment is by AdobeSign, which is fully binding.
4. All provisions in the License shall remain in effect except as expressly modified by this First Amendment.

**CITY OF EVERETT
WASHINGTON**

By: 
Cassie Franklin, Mayor

01/30/2024
Date


SCHNACK SHACK LLC

By: 

Printed Name: Andria White

Title: Owner
01/29/2024
Date

ATTEST:


Office of the City Clerk











2021-090 Schnack Shack Amendment No. 1_011824_SD

Final Audit Report

2024-01-30

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Agreement completed.

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