

**SECOND AMENDMENT
TO
OPERATING AGREEMENT**

UTAH PERFORMING ARTS CENTER

THIS SECOND AMENDMENT TO OPERATING AGREEMENT (“**Second Amendment**”) is effective as of June 30, 2021, by and between the Utah Performing Arts Center Agency, an interlocal entity and political subdivision of the State of Utah (“**Owner**”), Salt Lake City Corporation, a Utah municipal corporation (“**City**”), the Redevelopment Agency of Salt Lake City, a public agency (“**RDA**”) and Salt Lake County, a body corporate and politic of the state of Utah (“**County**”, and/or “**Operator**”). Owner and Operator may be referred to individually as a “**Party**”, or collectively as the “**Parties**”.

R E C I T A L S

A. The Parties executed that certain Operating Agreement Utah Performing Arts Center (“**Operating Agreement**”), with an effective date of March 19, 2013, which Operating Agreement is identified as Salt Lake County Contract No. SG13517C and sets forth certain requirements for Operator to operate the George S. and Dolores Doré Eccles Theater, formerly known as the Utah Performing Arts Center (“**Theater**”), beginning on March 19, 2013, and ending on December 31, 2041.

B. Pursuant to Section 8.8 of the Operating Agreement, the Parties now wish to amend the Operating Agreement to extend Operator’s operation and supervision of UPAC Site for an additional five years.

AGREEMENT

THEREFORE, for good and valuable consideration, the Parties agree as follows:

1. The Parties agree to renew Amendment 1, covering Operator’s operation of UPAC Site for an additional five-year term from the Effective Date of Amendment 1. The Parties acknowledge the Effective Date of Amendment 1 is June 30, 2016, therefore this renewal shall be effective June 30, 2021, and end June 30, 2026.

2. **Amendment.** All Parts, Paragraphs, Attachments and other provisions of the Agreement and any prior amendments thereof not specifically modified by this amendment shall be the same and remain in full force and effect.

[SIGNATURE PAGES FOLLOW]

IN WITNESS WHEREOF, Owner, Operator, City and RDA have executed this Second Amendment to be effective as of the Effective Date.

OPERATOR:

SALT LAKE COUNTY, a body corporate and politic
of the State of Utah

By: _____
Its: Mayor or Designee
Print Name: _____

County, by resolution of its County Council, a copy of which is attached hereto, caused this Second Amendment to Operating Agreement be signed by the Mayor, or her designee.

Approved As To Form

Craig J.

Wangsgard

Deputy District Attorney

Digitally signed by Craig J.
Wangsgard
Date: 2021.07.06 14:06:40 -06'00'

IN WITNESS WHEREOF, Owner, Operator, City and RDA have executed this Second Amendment to be effective as of the Effective Date.

OWNER:

UTAH PERFORMING ARTS CENTER AGENCY, an
interlocal agency of the State of Utah

By: _____
Its: _____
Date: _____

Approved as to legal form:

Attorney for Salt Lake County

Craig J. Wangsgard

Digitally signed by Craig J.

Wangsgard

Date: 2021.07.06 14:06:58 -06'00'

Craig Wangsgard, Deputy District Attorney

Approved as to legal form:

Attorney for Salt Lake City

_____, Senior City Attorney

Approved as to legal form:

Attorney for Redevelopment Agency

_____, Senior City Attorney

Owner, by resolution duly adopted by its Board, a copy of which is attached hereto, caused this Agreement to be signed by its _____.

IN WITNESS WHEREOF, Owner, Operator, City and RDA have executed this Second Amendment to be effective as of the Effective Date.

CITY:

SALT LAKE CITY CORPORATION, a Utah
municipal corporation

Erin Mendenhall
Mayor

ATTEST:

City Recorder

Approved as to legal form:
Salt Lake City Attorney's Office

_____, Senior City Attorney

City, by resolution duly adopted by its City Council, a copy of which is attached hereto, caused this Second Amendment to Operating Agreement to be signed by its Mayor and attested by its City Recorder.

IN WITNESS WHEREOF, Owner, Operator, City and RDA have executed this Second Amendment to be effective as of the Effective Date.

RDA:

REDEVELOPMENT AGENCY OF
SALT LAKE CITY, a public agency

Erin Mendenhall
Executive Director

Approved as to legal form:
Salt Lake City Attorney's Office

_____, Senior City Attorney

RDA, by resolution duly adopted by its Board, a copy of which is attached hereto, caused this Agreement to be signed by its Executive Director, and approved as to legal form by its legal counsel.