

**SECOND AMENDMENT
to the
CROSS COUNTRY RUNNING COURSE
FACILITY USAGE AGREEMENT
BETWEEN
THE CITY OF COLUMBIA, MISSOURI,
AND
THE CURATORS OF THE UNIVERSITY OF MISSOURI**

This Second Amendment to the Facility Usage Agreement is made as of the date of the last signatory noted below, between the **CITY OF COLUMBIA** ("City"), and **The Curators of the University of Missouri** ("University").

RECITALS

- A. WHEREAS, on January 18, 2019, City and University entered into a Facility Usage Agreement ("Facility Usage Agreement") related to the Cross Country Running Course at Gans Creek Recreation Area; and
- B. WHEREAS, on May 21, 2019, the Parties entered into a First Amendment to the Facility Usage Agreement; and
- C. WHEREAS, the Parties hereto desire to formally amend the Facility Usage Agreement as previously amended with this Second Amendment (hereinafter "Second Amendment to the Facility Usage Agreement") and desire to be bound by the terms contained in the Facility Usage Agreement as previously amended, and as amended by the terms contained in this Second Amendment to the Facility Usage Agreement.

AMENDMENT

NOW, THEREFORE, in consideration of the mutual benefit to be derived by the parties, it is agreed to amend the Facility Usage Agreement as previously amended, as follows:

1. Section 2 of the First Amendment shall be removed and replaced with the following:
"University and City have worked together to prepare architectural plans for bidding and construction of the indoor building at the Gans Creek Recreation Area cross country course. City shall be responsible for all aspects of bidding and construction of the building including site preparation, issuing of building permits, utilities installation, building construction and site restoration at the conclusion of the project."

2. **Additional Contribution.** University shall contribute an additional \$100,000 to the completion of the indoor building.
3. All other terms of the Facility Usage Agreement as previously amended shall remain unchanged and in full force and effect.

[SIGNATURES ON FOLLOWING PAGE]

IN WITNESS WHEREOF, the parties hereto have duly executed this Second Amendment to the Facility Usage Agreement, on the day and year last written below.

CITY OF COLUMBIA, MISSOURI

By: _____
De'Carlton Seewood, City Manager



Date: _____

ATTEST:

By: _____
Sheela Amin, City Clerk

APPROVED AS TO FORM:

By: _____
Nancy Thompson, City Counselor/rw

THE CURATORS OF THE UNIVERSITY OF MISSOURI

By: _____


Name: _____
Casey E. Forbis
Title: _____
Sr. Business Services Consultant
Date: _____
9/12/2022

**APPROVED
AS TO
LEGAL FORM**

MM 9/12/2022