	DOCUMENT A	PPROVAL	_
Fa	cility Lease	Amendm	ent
Cir.	Dept.	Date	Int.
	AL&C		
	City Clerk		
	Finance		
	Prop Mgmt		, market

# AMENDMENT TO LEASE AND OPERATING AGREEMENT FOR THE ROTARY CENTRE FOR THE ARTS

THIS AMENDMENT dated November 30, 2015

#### BETWEEN:

CITY OF KELOWNA, a municipal corporation pursuant to the laws of British Columbia having an address at 1435 Water Street, Kelowna, B.C., V1Y 1J4

(the 'City')

#### AND:

KELOWNA VISUAL AND PERFORMING ARTS CENTRE SOCIETY (Inc. No. S32185) a society registered under the laws of British Columbia and having an office at 421 Cawston Avenue, Kelowna, B.C., V1Y 6Z1

('KVPACS')

### WHEREAS:

- A. The City is the owner of lands and premises at 421 Cawston Avenue, Kelowna, BC, including the building known as the Rotary Centre for the Arts (RCA);
- B. The City entered into a ten year Lease and Operating Agreement (the 'Agreement') commencing January 1, 2013 with KVPACS for the RCA;
- C. The Agreement provides that the City pay to KVPACS an annual operating payment in two equal instalments;
- D. KVPACS seeks, and the City has agreed, to amend the Agreement to provide for quarterly instalments of the annual operating payment;

NOW THEREFORE; in consideration of the mutual covenants, conditions and agreements herein contained, the City and KVPACS agree to amend the Agreement as follows:

1. With regard to Article 8, Section 8.5 Instalments

Delete the entire section and REPLACE WITH the following:

## 8.5 INSTALMENTS

The annual payment by the City to KVPACS under the preceding section shall be paid in four equal instalments within 10 (Ten) days of January 1, 10 (Ten) days of April 1, 10 (Ten) days of July 1, and 10 (Ten) days of October 1 during each year of the Term.

2. All other terms of the Agreement shall remain in effect.

IN WITNESS WHEREOF the parties have executed this Amendment Agreement.

SIGNED, SEALED AND DELIVERED by the City in the presence of:

The City of Kelowna, by its ) Authorized Signatories: )	Witness
Mayor )	Address
City Clerk	Occupation
Kelowna Visual and Performing Arts ) Centre Society, by its Authorized ) Signatories: )	Witness PADRICK LESUNC
1m	303-1327 ST PAUL ST. KELOW HA Address
- Ling }	Acr MMSGR Occupation