

**ASSIGNMENT OF AGREEMENT FOR
WINTER FERRY SERVICE**

Whereas, the City of Mackinac Island (CMI) and Mackinac Island Ferry Company (MIFC) are parties to an Agreement for Winter Ferry Service, dated 10/18/2023 (hereafter referred to as the “Winter Service Agreement”), a copy of which is attached hereto as Exhibit A, and

Whereas, Section 9 of the Winter Service Agreement allows CMI to assign its rights and obligations to the Mackinac Island Transportation Authority (MITA) only to facilitate winter service, through the services of MIFC, under the terms of the Winter Service Agreement and subject to certain terms and conditions.

WITNESSETH, in consideration of the mutual promises and covenants contained herein, the receipt and sufficiency of which is acknowledged by both parties, CMI hereby assigns to MITA CMI’s interests and obligations under the Winter Service Agreement. This Assignment is made subject to the following terms and conditions:

- A. All matters of enforcement of and authority under the Winter Service Agreement shall remain with the CMI.
- B. MITA shall not compete with the business of MIFC during the term of the Agreement.
- C. MITA, and its successors, shall be bound by all terms of the Winter Service Agreement and this Assignment.
- D. Any and all obligations relating to the Winter Service Agreement from and after this date shall be assumed and complied with by MITA.
- E. CMI shall have the right to unilaterally withdraw and/or revoke this Assignment, and to reinstate all its rights, and obligations under the Winter Service Agreement. Such revocation shall be in the sole discretion of the City Council. Notice of such revocation shall be sent to MITA by first class US mail, and will be effective 7 days after such notice is postmarked.
- F. MITA shall have no power to bind the CMI in any contract amendments or new contracts.
- G. Grantee MITA may not enter into any additional contract regarding passenger service to/from the City of Mackinac Island, general ferry service, or winter service, without approval of the City Council of the CMI during the Winter Service Agreement or beyond the date the Winter Service Agreement expires.

CITY OF MACKINAC ISLAND, By:

Dated: _____

MARGARET DOUD, its Mayor

ACCEPTANCE

Mackinac Island Transportation Authority accepts the Assignment in accordance with its terms.

**MACKINAC ISLAND TRANSPORTATION
AUTHORITY, By:**

Dated: _____

ANDREW McGREEVY, its Chairperson