

SECOND AMENDMENT TO
SNACK SHACK CONCESSION AGREEMENT

THIS SECOND AMENDMENT TO SNACK SHACK CONCESSION AGREEMENT ("Second Amendment") is hereby entered into by and between the **CITY OF MADEIRA BEACH**, a Florida municipal corporation, hereinafter referred to as "City," and, **UNITED PARK SERVICES, INC.**, a Florida corporation, hereinafter referred to as "Concessionaire."

RECITALS

WHEREAS, the City and Concessionaire entered into that certain Snack Shack Concession Agreement, hereinafter referred to as "Agreement," dated July 23, 2019; and

WHEREAS, the City and Concessionaire entered into that certain First Amendment to Snack Shack Concession Agreement referred to as "1st Amended Agreement," dated Oct 11, 2021; and

WHEREAS, City and Concessionaire wish to address:

1. The extension of the Agreement for an additional two (2) year period beginning August 1, 2024 and ending July 31, 2026.
2. An increase in the amount of the monthly Concession Fee to be paid by the Concessionaire to the City, more specifically defined as: a five percent (5%) rent increase for the year beginning Aug 1, 2024, above the actual rent for the year beginning Aug 1, 2023; and a five percent (5%) rent increase for the year beginning Aug 1, 2025, above the actual rent for the year beginning Aug 1, 2024;

NOW THEREFORE, in consideration of the mutual terms, covenants and conditions contained herein, the parties mutually agree that:

1. The Term of the Agreement shall be extended for an additional two (2) year period beginning August 1, 2024 and ending on July 31, 2026, unless terminated sooner pursuant to the terms of the Agreement.
2. In addition to all other financial obligations under the terms of the Agreement the Concessionaire's monthly Concession Fee shall be increased from \$6,556.36.00 per month to:
 - i. \$6,884.18 for August 1, 2024 through July 31, 2025
 - ii. \$7,228.39 for August 1, 2025 through July 31, 2026
3. The Concessionaire shall pay the City for maintenance and cleaning of the public bathrooms \$1,500.00 a month.
4. Except as expressly set forth herein, all of the terms, covenants and conditions of the Agreement are hereby ratified and confirmed by City and Concessionaire, and each, by the execution of this Amendment, hereby signifies their intent to be bound thereby.

IN WITNESS WHEREOF the Parties hereto have executed this Amendment on the day and year set forth next to their signatures below.

CITY OF MADEIRA BEACH
a Florida municipal corporation

ATTEST:

By: _____
Robin I. Gomez, City Manager

Dated: _____

Clara VanBlargan, City Clerk

UNITED PARK SERVICES, INC., a Florida corporation,

By 

Alan L. Kahana, President

Dated: _____
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