

**FIRST AMENDMENT
TO
DONATION AGREEMENT**

THIS FIRST AMENDMENT is made this 16th day of June, 2025, by and between the CITY OF NEW PRAGUE, a Minnesota municipal corporation (the "Donee"), and Forward New Prague Foundation, a Minnesota nonprofit corporation, (the "Donor") d/b/a Praha Outdoor Performance State (a/k/a "POPS") (each a "Party", collectively, the "Parties".)

Recitals

A. The Donor and the Donee executed and entered into that certain document titled "Donation Agreement" dated as of April 21, 2025 (the "Agreement"), which provides for the terms of the Donor constructing and donating an outdoor performance stage (the "Stage") that will serve the community.

B. Both Parties desire to amend the Agreement, specifically the construction start date indicated in Section 3 of the Agreement and that it is necessary and desirable to make a modification to the Agreement in order document a new start date of August 15, 2025.

D. In response, the Parties have agreed to enter into this First Amendment.

NOW, THEREFORE, in consideration of the mutual covenants and obligations herein contained, the Agreement is hereby amended in the following respects, consistent with the Agreement.

1. Incorporation of Recitals and Exhibits. The Recitals set forth in the preamble to this First Amendment are incorporated into this First Amendment as if fully set forth herein.

2. Section 3 of the Agreement is Revised. Section 3 of the Agreement is revised, in part, to read as follows:

3. CONSTRUCTION OF THE STAGE; LIMITED LICENSE. The Donor hereby agrees to construct the Stage and all associated improvements on the Land, with construction beginning by August 15 ~~July 4~~, 2025 in order to complete the construction on or before December 31, 2026, and in accordance with the City Approval and this Agreement.

3. Effect on the Agreement. Any other terms, agreements, requirements or conditions contain in or required by the Agreement shall remain in effect and any such other terms, agreements, requirements or conditions of the Agreement that are required to be modified to be consistent with this First Amendment shall be appropriately modified and revised to be in accordance with the terms of this First Amendment, with any such required modification or revision constituting a necessary condition of the approval of this First Amendment. Except as specifically amended herein, the Agreement remains unaltered and in full force and effect.

[The remainder of this page to remain intentionally blank.]

IN WITNESS WHEREOF, the Parties hereto have executed this Agreement as of the date and year written above.

Donor:

**Forward New Prague Foundation, dba
Praha Outdoor Performance Stage
Advisory Committee**

Donee:

City of New Prague

By: _____

Name: _____

Title: _____

By: _____

Name: Charles L. Nickolay

Title: Mayor

By: _____

Name: Joshua M. Tetzlaff

Title: City Administrator