

CONSENT TO ASSIGNMENT AND ASSUMPTION, AND AMENDMENT OF TOWING AGREEMENT

THIS AGREEMENT, made this 11th day of October, 2024, consenting to the assignment and assumption of the Towing Agreement between City of St. Francis (“City”), and PTL Tire & Auto 2, LLC, d/b/a/ Ark Towing and Recovery, hereinafter referred to as (“Ark”) to Twin Cities Transport and Recovery, Inc., hereinafter referred to as (“Twin Cities”).

RECITALS

WHEREAS, the City of St. Francis and Ark have entered into a valid, binding memorandum of agreement for towing services on November 30, 2023; and

WHEREAS, Ark desires to assign all of its interests in the Towing Agreement to Twin Cities; and

WHEREAS, Twin Cities is willing to accept the transfer of such interest and to perform the services requested by the City in the Towing Agreement in accordance with all of the terms and conditions contained therein; and

WHEREAS, the City consents to the assignment of the Towing Agreement from Ark to Twin Cities and agrees to amend the notification information in the Towing Agreement;

NOW, THEREFORE, in consideration of the premises and of the mutual covenants and agreements set forth herein, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, it is agreed by Ark and Twin Cities, and consented to by the City as follows:

AGREEMENT

Section 1. Assignment. Ark hereby gifts, assigns and transfers to Twin Cities all of its interest in the Towing Contract with the City of St. Francis.

Section 2. Acceptance. Twin Cities hereby accepts the foregoing assignment and transfer of the interests in the Towing Agreement with the City of St. Francis, and expressly agrees to perform towing services in accordance with all of the terms and conditions outlined in the Towing Agreement.

Section 3. Consent. The City hereby consents to the assignment of the interest of the Towing Contract to Twin Cities.

Section 4. Notification Information. Section 11 of the Towing Agreement is hereby amended to state notification information to:

Twin Cities Transport and Recovery, Inc.
John Grindeland

1396 Concordia Avenue
St. Paul, MN 55104-5309

Section 5. Binding Effect. This Agreement shall be binding upon the successors and assigns of the parties, and the parties shall deliver such further and additional instruments, agreements and other documents as may be necessary to carry out the provisions of this Agreement.

Section 6. Full Force and Effect. Except as expressly amended by the provisions of this Consent to Assignment and Amendment, the terms and conditions contained in the Towing Agreement shall continue to govern the rights and obligations of the parties and the Towing Agreement shall remain in full force and effect until and unless expressly modified by the parties in writing.

Section 7. Entire Agreement. This Agreement supersedes all agreements previously made between the parties relating to this Consent to Assignment and Amendment. There are no other understandings or agreements between the parties which relate to the subject matter of this Consent to Assignment and Amendment.

Section 8. Governing Law. This Assignment shall be construed in accordance with and governed by the laws of the State of Minnesota.

(Intentionally Left Blank)

The parties have executed this Agreement on the date and year set forth in the first paragraph of this Agreement.

AS ASSIGNOR:

PTL TIRE & AUTO 2, LLC, D/B/A ARK TOWING AND RECOVERY

By: _____

Owner

STATE OF MINNESOTA)
COUNTY OF ANOKA) SS.

This instrument was acknowledged before me on _____, 2024 by
_____.

Notary Public

AS ASSIGNEE:

TWIN CITIES TRANSPORT AND RECOVERY, INC.

By: _____

Director of Operations

STATE OF MINNESOTA)
COUNTY OF _____) SS.

This instrument was acknowledged before me on _____, 2024 by
_____.

Notary Public

**CONSENT TO ASSIGNMENT AND AMENDMENT OF NOTIFICATION
INFORMATION**

CITY OF ST. FRANCIS

By: _____
Mayor, Joseph Muehlbauer

By: _____
City Administrator, Kate Thunstrom

STATE OF MINNESOTA)
COUNTY OF HENNEPIN) SS.

Mayor, Joseph Muehlbauer, and City Administrator, Kate Thunstrom respectively of the
CITY OF ST. FRANCIS, acknowledged this instrument before me on _____, 2024.

Notary Public

4470596.1