

FIRST AMENDMENT TO
ENGER PARK AND LESTER PARK
GOLF COURSES
MANAGEMENT AGREEMENT

THIS FIRST AMENDMENT TO ENGER PARK AND LESTER PARK GOLF COURSES MANAGEMENT AGREEMENT (this “First Amendment”), effective as of January 1, 2025, is by and between the City of Duluth (“City”), a municipal corporation of the State of Minnesota, and Indigo Sports, LLC (“Indigo Sports”), a Virginia limited liability company, having an address at 15044 N. Scottsdale Road, Suite 300. Scottsdale, AZ 85254.

WHEREAS, on January 1, 2023, Indigo Sports and City entered into an Enger Park and Lester Park Golf Courses Management Agreement (as amended by this First Amendment, the “Agreement”);

WHEREAS, Indigo Sports and City wish to amend certain terms of the Agreement as set forth in this First Amendment.

NOW, THEREFORE, in consideration of the mutual covenants and conditions herein, the parties agree to amend the Agreement as follows:

- I. Paragraph A. of Article V is amended with the following Subparagraphs 4 and 5:

4. 2026

a. Enger Park Golf Course, 27 (twenty-seven) holes open for play: seven thousand five hundred two dollars (\$7,502) per month

5. 2027

a. Enger Park Golf Course, 27 (twenty-seven) holes open for play: seven thousand seven hundred twenty-seven dollars (\$7,727) per month.

- II. Paragraph C. of Article V is amended and replaced in its entirety with the following Paragraph C.:

C. It is agreed between the parties that Indigo Sports’ maximum fee under Section III A and B shall not exceed the sum of five hundred forty-six thousand eight hundred twenty-four dollars (\$546,824).

- III. Paragraph E. of Article VI is amended and replaced in its entirety with the following Paragraph E.:

E. Agreement Period

The term of this Agreement shall commence on the Effective Date and performance shall end on December 31, 2027, unless terminated earlier as provided for herein.

IV. Except as specifically amended pursuant to this First Amendment, the Agreement remains in full force and effect. In the event of a conflict between the provisions of this First Amendment and the provisions of the Agreement, the provisions of this First Agreement shall govern.

IN WITNESS WHEREOF, the parties have executed this First Amendment to Enger Park and Lester Park Golf Courses Management Agreement as indicated below.

CITY OF DULUTH

INDIGO SPORTS, LLC

By: _____
Mayor

By: _____
Jeff Hansen, Secretary

Date: _____

Attest: _____
City Clerk

Its: _____
Title of Representative

Date: _____

Date: _____

Countersigned:

City Auditor

Approved as to form:

City Attorney