

**FIRST AMENDMENT TO  
DEVELOPMENT AGREEMENT BETWEEN  
CHESTER BOWL IMPROVEMENT CLUB  
AND  
CITY OF DULUTH**

THIS FIRST AMENDMENT TO DEVELOPMENT AGREEMENT (this “First Amendment”) is by and between the CITY OF DULUTH (the “City”), a municipal corporation created and existing under the laws of the State of Minnesota, and the CHESTER BOWL IMPROVEMENT CLUB (“CBIC”), a Minnesota non-profit corporation. The City and CBIC are hereinafter referred to as a “Party” or collectively as the “Parties.”

WHEREAS, the Parties entered into a Development Agreement dated October 20, 2025, with contract number 25002 (the “Agreement”) which provides for reconstructing the Chester Bowl Chalet (the “Project”);

WHEREAS, CBIC anticipates contributing monies to the Project that will be subject to federal grant conditions;

WHEREAS, CBIC anticipates contributing in-kind donations; and

WHEREAS, the Parties desire to amend the Agreement to provide for the above contributions.

NOW, THEREFORE, the Parties agree to amend the Agreement as follows:

I. That Section VI. B. will be amended by adding the below paragraph 5:

5. Federal Conditions. With respect to all construction contracts for the Project, the City shall incorporate the City of Duluth – Part II – Supplementary General Conditions for federally and/or city assisted activities, specifically including Davis-Bacon Act and Build America Buy America Act conditions. City agrees to furnish, or cause its contractor to furnish, to CBIC all information as is required by the United States Department of Housing and Urban Development which relate directly or indirectly to the Project.

II. That Section VI. C. will be amended by adding the below paragraph 4:

4. In-Kind Contributions, Unrestricted. Third parties may convey to CBIC unrestricted in-kind contributions. CBIC may transfer the same to City, and City may receive, only those in-kind contributions not subject to any restrictions or conditions imposed by CBIC or third parties.

III. Except as specifically amended pursuant to this First Amendment, the Agreement and all its terms remain in full force and effect.

IN WITNESS WHEREOF, the City and CBIC have executed this First Amendment as indicated by their signatures below.

CITY OF DULUTH

CHESTER BOWL IMPROVEMENT CLUB

By: \_\_\_\_\_  
City Administrator with delegated Authority

By: \_\_\_\_\_

Its: \_\_\_\_\_

Dated: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Dated: \_\_\_\_\_

Attest:

By: \_\_\_\_\_  
City Clerk

Dated: \_\_\_\_\_

Countersigned:

\_\_\_\_\_  
City Auditor

Approved as to form:

\_\_\_\_\_  
City Attorney