

AMENDMENT NO. 1
OPERATING AGREEMENT
WASHINGTON CENTER FOR THE PERFORMING ARTS
512 Washington Street SE, Olympia, WA 98501

THIS AMENDMENT NO. 1 is effective as of the date of the last authorizing signature affixed hereto by and between the **CITY OF OLYMPIA**, a Washington municipal corporation ("City") and **THE WASHINGTON CENTER FOR THE PERFORMING ARTS**, Incorporated, a Washington non-profit corporation, ("Washington Center").

RECITALS

1. On June 27, 2018, the City and the Washington Center entered into an Operating Agreement to occupy, operate, and manage the Washington Center according to the provisions, terms, and conditions of the Operating Agreement, and in accordance with all applicable laws as shall relate thereto.
2. The term of the Operating Agreement was to run until December 31, 2034, provided that the City and the Washington Center shall review this agreement in 2021 and every five years thereafter.
3. The Operating Agreement also provided that its terms could be amended.
4. The City and the Washington Center desire to amend the Operating Agreement to extend the term through December 31, 2042.

NOW, THEREFORE, THE PARTIES AGREE AS FOLLOWS:

1. Section C.1 of the Operating Agreement, TERM/VOLUNTARY TERMINATION, is hereby amended to read as follows:

This Agreement shall be in full force and effect until December 31, ~~2038~~ 2042; provided that the City and the Washington Center shall review this agreement in 2022 and every five years thereafter. If said review does not result in agreed amendments on or before the anniversary date for which said notice is given, the Agreement shall continue in full force and effect as then written for at least another five-year period. Provided further, that either party may terminate this Agreement during its initial term, or after extension thereof, by giving the other party at least one year's notice thereof.


2. The Title of the Washington Center Operating Agreement 2018 to 2034 shall be amended by the City Clerk's office to note, The Washington Center Operating Agreement 2018 to **2042**.
3. All remaining provisions of the Operating Agreement between the City and the Washington Center dated June 27, 2018, and not here amended or supplemented shall remain as written in said Agreement and shall continue in full force and effect.

IN WITNESS WHEREOF, the City and the Washington Center have executed this **Amendment No. 1** of the Operating Agreement as of the date and year written below.

CITY OF OLYMPIA

By: _____
Steven J Burney, City Manager
P.O. Box 1967
Olympia WA 98507-1967
Date of Signature: _____

APPROVED AS TO FORM:



Deputy City Attorney

THE WASHINGTON CENTER FOR THE PERFORMING ARTS

By: Jill Barnes
Jill Barnes, Executive Director
512 Washington Street SE
Olympia, WA 98501
Date of Signature: 07/29/2022