

**FIRST AMENDMENT TO THE COMMUNITY TREE NURSERY
COLLABORATION AGREEMENT**

THIS FIRST AMENDMENT TO THE COMMUNITY TREE NURSERY COLLABORATION AGREEMENT (this "Amendment") is made effective 7/24, 2018 (the "Effective Date") by and between the **City of South Bend, Indiana Venues, Parks and Arts Department ("VPA", acting through its Board of Park Commissioners ("Park Board"))**, the **Bowman Creek Educational Ecosystem, an unincorporated community group ("Bowman Creek")** and the **City of South Bend, acting by and through its Board of Public Works ("South Bend")**.

RECITALS

WHEREAS, the City executed a certain Community Tree Nursery Collaboration Agreement dated April 11th, 2017; and

WHEREAS, this Amendment is entered into to modify certain terms and conditions expressed in the Agreement dated April 11th, 2017.

NOW THEREFORE, for and in consideration of the mutual covenants and promises contained herein, the City hereby agree as follows:

TERMS

WHEREAS. VPA wishes to establish a distributed urban native tree nurseries pilot program as positive repurposing of vacant lots owned by the City. The continuation of this pilot program shall include the following parcels: Parcel No. 71-08-02-378-020.000-026, Parcel No. 71-08-02-378-021.000-026, and Parcel No. 71-08-02-378-022.000-026, South Bend, Indiana (collectively the "Properties");

Except for the provisions herein contained, said Agreement dated April 11th, 2017 including any and all Amendments, will remain in full force and effect as previously made.

IN WITNESS WHEREOF, the Parties hereto, through their duly authorized representatives, have caused this Amendment to be executed as of the day and year first written above. The parties have read and understand the foregoing terms of this Amendment and do, by their respective signatures hereby agree to its terms.

**BOWMAN CREEK
EDUCATIONAL ECOSYSTEM**



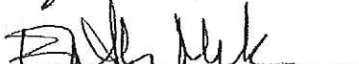
Gary A. Gilot, Program Co-Adviser
Bowman Creek Educational Ecosystem

**CITY OF SOUTH BEND, INDIANA
BOARD OF PUBLIC WORKS**

Gary Gilot, President

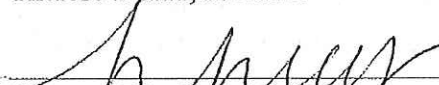


James Mueller, Member




Elizabeth Maradik, Member

Therese Dorau, Member



Suzanna Fritzberg, Member

ATTEST:



Eva Ennis, Clerk

ATTEST:



Linda Martin, Clerk


**CITY OF SOUTH BEND, INDIANA
BOARD OF PARK COMMISSIONERS**



Mark W. Neal



Daniel Farrell



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