

FOURTH AMENDMENT TO LICENSING AGREEMENT BETWEEN THE URBAN RENEWAL AGENCY OF THE CITY OF AUSTIN AND DIVERSEARTS

This Fourth Amended Licensing Agreement (“Fourth Amendment”) is made and entered into between the Urban Renewal Agency of the City of Austin (“Agency”), with offices located at 1000 East 11th Street, Ste 200, Austin, Travis County, Texas 78702, and DiverseArts Culture Works with offices located at 904 Juniper Street, Austin, Travis County, Texas 78702 (“Licensee”) (collectively referred to herein as “Parties” and individually as a “Party”).

WHEREAS, Agency and Licensee entered into that certain License Agreement on the first day of November, 2018; and

WHEREAS, the term of the First Amendment to the License Agreement expired on October 31, 2019; and

WHEREAS, the term of the Second Amendment to the License Agreement expired on June 30, 2020; and

WHEREAS, the term of the Third Amendment to the License Agreement expires on September 30, 2021; and

WHEREAS, the parties wish to extend the term of the License Agreement to September 30, 2022; and

WHEREAS, the Agency’s Board of Commissioners approved this Fourth Amendment at a public meeting properly noticed in compliance with the Texas Open Meetings Act on the 20th day of September, 2021; and

WHEREAS, Licensee’s board of directors approved this Fourth Amendment on the ____ day of _____, 2021.

NOW THEREFOR IN CONSIDERATION OF the duties, obligations and covenants of the Parties, and other good and valuable consideration, Agency and Licensee agree that Section 2 (entitled “Term”) of the License Agreement is amended to read as follows:

TERM: The Agreement commences upon 1 November 2018 at 12:01am and ends on September 30, 2022 at 11:59pm (the “Term”) **LICENSEE UNDERSTANDS AND AGREES THAT THIS LICENSE IS REVOCABLE AND AGENCY MAY ON ANY DATE AND AT ANY TIME BEFORE SEPTEMBER 30, 2022, TERMINATE THIS LICENSE AGREEMENT IN ITS SOLE DISCRETION WITH OR WITHOUT CAUSE AND LICENSEE SHALL VACATE PREMISES WITHIN THE TIME PRESCRIBED IN SECTION 7.B.ii.**

Except as expressly amended herein the License Agreement shall remain in full force and effect.

IN WITNESS WHEREOF, this Fourth Amendment is hereby effective as of the last date of execution below.

Licensee: DiverseArts Culture Works

Harold McMillan, Founder/Director

Date

Agency: Urban Renewal Agency of the City of Austin

Manuel Escobar, Board Chair

Date

APPROVED AS TO FORM:

By: General Counsel to the Urban Renewal Agency
of the City of Austin
Denton, Navarro, Rocha, Bernal & Zech
A Professional Corporation
2500 W. William Cannon Drive, Suite 609
Austin TX 78745

By: _____
Charles E. Zech, General Counsel