

FIRST AMENDMENT TO LAND & ELECTRIC USE AGREEMENT BETWEEN CITY OF
MANITOWOC AND VINTON CONSTRUCTION COMPANY FOR STORAGE AND ELECTRICAL
USEAGE AT 1105 FLEETWOOD DRIVE

This First Amendment to the Land & Electric Use Agreement dated _____, is made and entered into by and between the City of Manitowoc, Wisconsin, a municipal corporation, (hereinafter “the City”), located at 900 Quay Street, Manitowoc, Wisconsin 54220, and Vinton Construction Company, a Wisconsin Business Corporation, (hereinafter “Vinton”), with its principal office address of 2705 North Rapids Road, P.O. Box 1987, Manitowoc, WI 54221-1987.

WHEREAS, the City and Vinton entered into an Agreement dated _____ (the “Agreement”); and,

WHEREAS, the parties wish to expand the scope of the Agreement to incorporate additional uses by Vinton of the property known as 1105 Fleetwood Drive; and,

NOW THEREFORE, in consideration of these premises, the parties intend that the Agreement be amended as follows:

1. License to Use Land is broadened to incorporate material storage as well as the pre-existing uses of equipment and vehicle storage.
2. In addition to the indemnification and insurance provisions set forth in the Agreement, Vinton agrees to indemnify the City for any environmental liability arising from, in connection with, caused by or resulting from Vinton’s use of 1105 Fleetwood Drive. Vinton further agrees to carry pollution insurance coverage.
3. Except as amended by this First Amendment, all other terms and conditions of the Agreement shall remain in full force and effect.
4. In the event of any inconsistency between the provisions of this First Amendment and the documents comprising the Agreement, the inconsistency shall be resolved by giving precedence to the documents in the following order:
 - A. Paragraphs set forth in the body of this First Amendment
 - B. Paragraphs set forth in the body of the Agreement

IN WITNESS WHEREOF, the parties have caused this First Amendment to be executed by their duly authorized representatives,

City of Manitowoc

Vinton Construction

By: _____

By: _____

Date: _____

Date: _____