

MODIFICATION AGREEMENT

This Agreement made the \_\_\_\_\_ day of \_\_\_\_\_, 2016.

Modification of Lease Made

BETWEEN:

**DISTRICT OF SPARWOOD**

P.O. BOX 520  
SPARWOOD, BC.  
V0B 2G0

(hereinafter called the Lessor )

OF THE FIRST PART

AND:

**TINA SUMMER BLOMME**

#11 233 Pine Ave.  
Sparwood, British Columbia  
V0B 2G0

(hereinafter called the Lessee )

OF THE SECOND PART

WHEREAS by a Lease dated the 23<sup>rd</sup> day of September, 2015, the Lessor did grant unto the Lessee herein a Lease of a portion of a building located in the District of Sparwood, Province of British Columbia, more particularly described as follows:

Lot 2 except parts included in Plan 66931, 7314 and 13771  
and Lots 3, 4 and 5  
District Lot 4589  
KOOTENAY DISTRICT  
PLAN 6798

(the "Lease")

as more fully described in the Lease.

AND WHEREAS the parties hereto wish to modify the terms of the Lease as hereinafter set forth;

NOW THEREFORE, this agreement witnesses that for and in consideration of the mutual promises and agreements set out herein, and the sum of \$10.00 now paid by the Lessee to the Lessor, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Lessor and Lessee agree as follows:

1. **THAT ON THE 5<sup>th</sup> PAGE OF THE LEASE THE PARAGRAPH THAT READS AS FOLLOWS:**

6(h)(iv) the Lessee shall only use the Leased Area for the purposes of operation of a restaurant and they will not use or occupy the Leased Area for any other purpose;

**SHALL BE DELETED AND AMENDED TO READ AS FOLLOWS:**

6(h)(iv) the Lessee shall only use the Leased Area for the purposes of operation of a restaurant and the rental of sporting equipment complimentary to the activities undertaken within or on the Sparwood Leisure Centre or adjoining grounds as set out in Schedule D and they will not use or occupy the Leased Area for any other purpose;

2. **THAT ON THE 2<sup>ND</sup> PAGE OF THE LEASE, PARAGRAPH 4 WHICH READS AS FOLLOWS:**

4(a). The parties acknowledge that Schedule A - Leased and Common Seating Areas, Schedule B – Equipment, Schedule C – Additional Acknowledgements and Schedule D - Pepsi Co Agreement attached hereto forms part of the agreement.

**SHALL BE DELETED AND AMENDED TO READ AS FOLLOWS:**

4(a). The parties acknowledge that Schedule A - Leased and Common Seating Areas, Schedule B – Equipment, Schedule C – Additional Acknowledgements, Schedule D - Permitted Sporting Equipment Rental, Schedule E – Excluded Sporting Equipment Rental, Schedule F – Rental Equipment Storage Space, attached hereto form part of this Lease.

3. **THAT THE FOLLOWING CLAUSE BE ADDED AS FOLLOWS:**

**h. Operations**

XV. The lessee shall not store any rental equipment within the Leisure Centre Concession nor any area where food preparation or storage takes place within the Arena Concession. The lessee shall be limited to storing rental equipment to the area as depicted on Schedule F – Rental Equipment Storage Space.

4. The former Schedule D – Pepsi Co Agreement shall no longer form part of the Lease.
5. Schedule D – Permitted Sporting Equipment Rental and Schedule E – Excluded Sporting Equipment Rental, attached hereto shall be deemed to form part of the Lease.
6. All other terms and conditions of the Lease shall remain in full force and effect and unamended.

IN WITNESS WHEREOF the Parties have caused this Modification Agreement to be executed and effective the day and year first above written.

DISTRICT OF SPARWOOD per:

\_\_\_\_\_  
AUTHORIZED SIGNATORY

\_\_\_\_\_  
AUTHORIZED SIGNATORY

Lessee:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_  
Witness (Signature and Name)

\_\_\_\_\_  
Address

## Schedule D –Permitted Sporting Equipment Rental

- Hockey pads, gloves, sticks, helmets and related hockey equipment
- Hiking poles
- Baseball bats, gloves, balls and related equipment
- Scooters (non-motorized)
- Skateboards, pads, helmets and related equipment
- Roller blades
- Snowshoes
- Sportswear - swim suits, track pants, vests, coats etc.
- Toboggans, tubes, crazy carpets etc.
- Skipping ropes
- Exercise equipment
- Water equipment for the pool Snorkels, goggles etc.
- Soccer Equipment
- Cross Country Ski Equipment
- Racquets and balls for tennis, squash, racquet ball, pickle ball etc.
- BMX style bicycles, helmets and related equipment

## Schedule E –Excluded Sporting Equipment Rental

- Figure Skates
- Hockey Skates
- Disc Golf Discs

SCHEDULE 'F'

