

**FIRST AMENDMENT TO
INDEPENDENT CONTRACTOR AGREEMENT
LANDSCAPE MAINTENANCE**

This FIRST AMENDMENT TO INDEPENDENT CONTRACTOR AGREEMENT, including any and all exhibits attached hereto (the “**First Amendment**”), is entered into as of the 1st day of March, 2021, by and between HAWTHORN METROPOLITAN DISTRICT NO. 2, a quasi-municipal corporation and political subdivision of the State of Colorado (the “**District**”), and ENVIRONMENTAL LANDWORKS COMPANY, INC., a Colorado corporation (the “**Contractor**”). The District and the Contractor are referred to herein individually as a “**Party**” and collectively as the “**Parties.**”

RECITALS

WHEREAS, the Parties entered into that certain Independent Contractor Agreement Landscape Maintenance on January 20, 2020 (the “**Agreement**”); and

WHEREAS, the Parties desire to enter into this First Amendment to increase the compensation due to the Contractor set forth in Exhibit A of the Agreement and extend the term of the Agreement.

NOW, THEREFORE, in consideration of the mutual promises and covenants contained herein, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties covenant and agree as follows:

AGREEMENT

1. Amendment to Compensation Schedule. The Parties hereby amend the Compensation Schedule set forth in Exhibit A of the Agreement with the Compensation Schedule set forth in Exhibit 1 to this First Amendment.

2. Amended and Restated Section 2 of the Agreement. The Parties hereby amend and restated Section 2 of the Agreement as follows:

2. TERM/RENEWAL. This Agreement shall be effective as of April 1, 2021 and shall terminate on the earlier to occur of: (i) termination pursuant to Section 18 hereof; (ii) or March 31, 2022. Notwithstanding the foregoing, the Agreement shall terminate pursuant to subsection (i) above, or if the District determines not to appropriate funds for this Agreement for the next succeeding year.

3. Prior Provisions Effective. Except as expressly modified by this First Amendment, all other provisions of the Agreement shall remain in full force and effect.

4. Counterpart Execution. This First Amendment may be executed in several counterparts, each of which may be deemed an original, but all of which together shall constitute one and the same instrument. Executed copies of this First Amendment may be delivered by

facsimile or email of a PDF document, and, upon receipt, shall be deemed originals and binding upon the signatories to this First Amendment.

[Signature page follows.]

IN WITNESS WHEREOF, the Parties have executed this First Amendment as of the date set forth below. By the signature of its representative below, each Party affirms that it has taken all necessary action to authorize said representative to execute this First Amendment.

DISTRICT:

HAWTHORN METROPOLITAN DISTRICT NO. 2, a quasi-municipal corporation and political subdivision of the State of Colorado

By:  Krystal Bigley (Mar 5, 2021 10:34 MST)

Officer of the District

APPROVED AS TO FORM:

WHITE BEAR ANKELE TANAKA & WALDRON
Attorneys at Law



General Counsel to the District

CONTRACTOR:

**ENVIRONMENTAL LANDWORKS
COMPANY, INC.,** a Colorado corporation

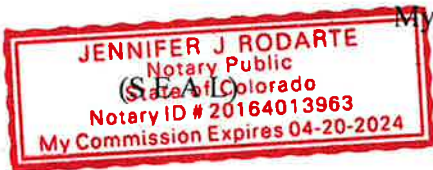
Michael Sittaro
By: Michael Sittaro
Its: Vice President

STATE OF COLORADO)
) ss.
COUNTY OF JEFFERSON)

The foregoing instrument was acknowledged before me this 23 day of MARCH 2021, by Michael Sittaro, as the VICE PRESIDENT of Environmental Landworks Company, Inc.

WITNESS my hand and official seal.

My commission expires: 04/20/2024



Jennifer Rodarte
Notary Public

EXHIBIT 1

COMPENSATION SCHEDULE

The Contractor shall be paid the sum of \$2,257.00/month for the Term of the Agreement.










2021-03-01 Hawthorn Meeting Signature Packet

Final Audit Report

2021-03-05

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