

**Amendment to Agreement
By and Between
The Metropolitan Government of Nashville and Davidson County
Board of Fair Commissioners
and
Track Enterprises, LLC**

This Amendment to the Lease Agreement for the Fairgrounds Premises (“Amendment 1”) is entered into by and between the Metropolitan Government of Nashville and Davidson County, through the Board of Fair Commissioners (“Fair Board”), and Track Enterprises, LLC, (“TE”).

WHEREAS, the Fair Board and TE originally entered into a Lease effective as of June 18, 2020, for a term of one year, in order to engage TE to conduct TE Motorsport Events and TE Motorsport Track Activities (“TE Motorsports”) at the Motorsport Event Space on the Fairgrounds Premises (Exhibit A):

WHEREAS, the Parties entered into a substantively similar lease for an additional year effective April 4, 2021 (Exhibit B);

WHEREAS, the Parties entered into a third substantially similar lease effective December 7, 2021 (Exhibit C) (“December 2021 Agreement”);

WHEREAS, the Parties now wish to extend the term of the December 2021 Agreement a so that TE will be engaged for an additional year to conduct the motorsport track events under the same terms;

NOW, THEREFORE, in consideration of the foregoing and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties do hereby agree as follows:

1. That the first sentence of paragraph 2.3(D) is hereby deleted and the following language inserted:

The Fair Board agrees to lease the Motorsport Event Space on dates to be determined and agreed by to by both parties for 2022 and 2023.

TE will have the exclusive and continuous right to book up to 10 Motorsports Events during the term of the agreement. If TE wishes to pursue Motorsport Events outside of the size, class, or type scheduled within the past three (3) years, TE must first present the proposal to the Fair Board for consideration.

2. That paragraph 2.3(F)(3) is hereby deleted and the following language inserted:

No later than March 1, 2023, the Parties shall agree to terms in an Exhibit to this Agreement which shall: (i) identify specific part numbers for acceptable, required mufflers to be used by all vehicles, as well as set forth specific criteria and

procedures for authenticating compliance with muffler use requirements and (ii) identify specific, agreed noise limits as called for under subsection (2) above.

3. That paragraph 3.1 (Agreement Term) of the Agreement is hereby deleted and the following language inserted:

The Effective Date of this Agreement is December 7, 2022. Unless terminated earlier pursuant to the terms and conditions of this Agreement, the term of this Agreement shall be for a period of one (1) year.

4. Except as expressly modified or amended herein, all of the terms, provisions and conditions of the Lease Agreement between the Fair Board and TE shall otherwise remain in full force and effect.

IN WITNESS THEREOF, the Parties have executed this Amendment 1, and do hereby warrant and represent that their signatory, whose signature appears below, has been and is on the date of signature duly authorized to execute this contract.

Board of Fair Commissioners, and
Metropolitan Government of
Nashville and Davidson County

EVENT

Chair, Fair Board

Event Name

Date

Street Address

APPROVED AS TO FUNDS
AVAILABILITY:

City, State, Zip Code

Director of Finance

Printed Name

APPROVED AS TO INSURANCE
REQUIREMENTS:

Signature

Director of Insurance

Date

APPROVED AS TO FORM AND
LEGALITY:

Department of Law

FILED WITH METROPOLITAN CLERK:

Office of the Metropolitan Clerk