

## **FIRST AMENDMENT TO CONCESSION AGREEMENT**

This First Amendment to Concession Agreement ("Amendment") is made and entered into effective as of the \_\_\_\_ day of \_\_\_\_\_, 2025, by and between City of Visalia, a Municipal Corporation of the State of California ("City") and Enterprise Rent-A-Car Company of Sacramento, LLC, a Delaware limited liability company ("Concessionaire").

### **RECITALS:**

WHEREAS, City and Concessionaire previously entered into that certain Agreement dated May 16, 2017, as the same may be amended (the "Agreement") leasing unto Concessionaire certain areas within the Airport property (the "Premises") commonly known as Visalia Municipal Airport, Tulare County, CA, and as more particularly described in the Agreement ("Airport"); and

WHEREAS, City and Concessionaire desire to amend the terms of the Agreement as hereinafter provided.

NOW, THEREFORE, for and in consideration of the Agreement, this Amendment, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, City and Concessionaire do hereby agree as follows:

1. The above recitals are hereby incorporated as a material part of this Amendment with the same force and effect as if restated in full in this paragraph.
2. All terms used in this Amendment which are defined in the Agreement shall have the same meaning in this Amendment as such terms have in the Agreement, as amended herein.
3. City and Concessionaire hereby agree that the Initial Term under the Agreement commenced on April 1, 2017, and the current Term will end on March 31, 2025 (unless extended or sooner terminated as provided in the Agreement).
4. In addition to Concessionaire's final Renewal Option through March 31, 2027 provided for in Section 2 of the Agreement, Concessionaire is hereby granted the right and option to extend the Term (each a "Renewal Option") for two (2) successive additional periods ("Renewal Term 2" and "Renewal Term 3") of twenty-four (24) months each on the same terms and conditions as set forth in Section 2 of the Agreement, except as otherwise provided herein. Rent for Renewal Term 2 and Renewal Term 3, if such Renewal Option is exercised, shall be on the same terms and conditions as set forth in Section 5 of the Agreement.

City and Concessionaire acknowledge and agree that the exercise of Renewal Term 3 by Concessionaire shall be subject to the mutual written agreement of City and Concessionaire.

5. The parties executing this Amendment represent and warrant they are authorized to execute the same.
6. Except as amended hereby, the Agreement remains in full force and effect. All terms, covenants, and conditions of the Agreement not expressly modified herein are hereby confirmed and ratified and remain in full force and effect, and, as further amended hereby, constitute valid and binding obligations of City and Concessionaire enforceable according to the terms thereof. In the event

there is a conflict between the terms and provisions of this Amendment and the Agreement, the terms and provisions of this Amendment shall control.

7. All of the covenants contained in this Amendment, including, but not limited to, all covenants of the Agreement as modified hereby, shall be binding upon and shall inure to the benefit of the parties hereto and their respective heirs, legal representatives and permitted successors and assigns.
8. This Amendment may be executed in multiple counterparts, each of which shall be an original, but all of which shall constitute one and the same Amendment. Once executed, this Agreement merges with and becomes part of the Agreement. Each party agrees that electronic signatures of the parties included in this Amendment are intended to authenticate this writing and to have the same force and effect as manual signatures and shall have the same legal validity and enforceability as a manually executed signature to the fullest extent permitted by law including the Federal Electronic Signatures Act or any similar state law based on the Uniform Transactions Act, and the parties hereby waive any objection to the contrary.

IN WITNESS WHEREOF, the parties hereto have executed this Amendment the day and year herein written.

CITY:  
City of Visalia  
a Municipal Corporation of the State  
of California

CONCESSIONAIRE:  
Enterprise Rent-A-Car Company of Sacramento, LLC,  
a Delaware limited liability company

By: \_\_\_\_\_

By: \_\_\_\_\_

Its: \_\_\_\_\_

Its: Vice President

Date: \_\_\_\_\_

Date: \_\_\_\_\_