

**AMENDMENT NO. 1 TO THE AGREEMENT FOR DISBURSEMENT AND USE OF FUNDS
BETWEEN THE CITY OF PALM DESERT AND FINE QUALITY FOODS ON, INC. DBA PAPA
DAN'S PIZZA AND PASTA**

1. Parties and Date.

This Amendment No. 1 ("Amendment") to the Disbursement and Use of Funds is made and entered into as of **June 30, 2025** by and between the City of Palm Desert, a municipal corporation organized and operating under the laws of the State of California ("City"), and Fine Quality Foods, Inc. dba Papa Dan's Pizza and Pasta, a **a Corporation** with its principal place of business at 73011 Country Club Drive F-1, Palm Desert, CA 92270 ("Recipient"). City and Vendor are sometimes individually referred to as "Party" and collectively as "Parties."

2. Recitals.

The Parties entered into an agreement titled "Agreement for Disbursement and Use of Funds" dated **February 27, 2025** ("Agreement").

3. Terms.

Amendment. The Agreement is hereby amended as follows:

Section 5.a. The deadline for the Business to commence operations at the Property in such a manner as to generate sales tax is hereby amended to be **September 1, 2025**. The City Council or City Manager may in its sole and absolute discretion extend such deadline further in increments of one month, not-to-exceed January 1, 2026, by issuing Recipient a written letter executed by the City Manager setting forth the new deadline.

Addition of New Section: No supplement, modification, or amendment of this Agreement shall be binding unless executed in writing and signed by both Parties.
Section 22. Amendment;
Modification

Continuing Effect of Agreement. Except as amended by this Amendment, all other provisions of the Agreement remain in full force and effect and shall govern the actions of the Parties under this Amendment. From and after the date of this Amendment, whenever the term "Agreement" appears in the Agreement, it shall mean the Agreement as amended by this Amendment.

Adequate Consideration. The Parties hereto irrevocably stipulate and agree that they have each received adequate and independent consideration for the performance of the obligations they have undertaken pursuant to this Amendment.

Severability. If any portion of this Amendment is declared invalid, illegal, or otherwise unenforceable by a court of competent jurisdiction, the remaining provisions shall continue in full force and effect.

Counterparts. This Amendment may be executed in duplicate originals, each of which is deemed to be an original, but when taken together shall constitute but one and the same instrument.

[Signatures on Following Page]

**SIGNATURE PAGE TO THE AGREEMENT FOR DISBURSEMENT AND USE OF FUNDS BY
AND BETWEEN THE CITY OF PALM DESERT AND FINE QUALITY FOODS, INC, DBA PAPA
DAN'S PIZZA AND PASTA**

IN WITNESS WHEREOF, each of the Parties has caused this Agreement to be executed on the
day and year first above written.

CITY OF PALM DESERT

**FINE QUALITY FOODS, INC, DBA PAPA
DAN'S PIZZA AND PASTA, A CORPORATION**

By: _____
Chris Escobedo
Interim City Manager

By: _____
Ira Mosley
Owner, Papa Dan's Pizza and Pasta

Clerk QC: _____