

## AMENDMENT NO. 2 TO AGREEMENT SPORT OF IRON FITNESS, LLC

This Amendment No. 2 (“Amendment No. 2”) is effective as of December 13, 2023 (the “Amendment Effective Date”) and entered into by and between the **ULSTER COUNTY ECONOMIC DEVELOPMENT ALLIANCE, INC.**, a local development corporation formed under the laws of the State of New York, with offices at 244 Fair Street, Kingston, New York 12401 (the “**UCEDA**”), and **SPORT OF IRON FITNESS, LLC**, a limited liability company with principal offices at 120 State Route 28, Kingston, New York 12401 (the “**Contractor**”) (each, a “Party;” together, the “Parties”).

### RECITALS

**WHEREAS**, the Parties entered into an agreement for assistance through the Ulster County CARES II Small Business Assistance Program beginning April 12, 2023; as amended by that certain Amendment No. 1 effective June 14, 2023 (as amended, the “Agreement”); and

**WHEREAS**, the Contractor requires additional time to complete the Services; and

**WHEREAS**, the Parties have agreed to amend the Agreement to extend the term as indicated below.

**NOW, THEREFORE**, in consideration of the mutual promises set forth herein, the Parties agree as follows:

### AGREEMENT

1. Article 2 – Term of Agreement. The first paragraph of Article 2 of the Agreement is hereby deleted in its entirety and is amended and restated to read as follows:

*“The Contractor agrees to perform the Services **beginning April 12, 2023 (the “Award Date”)** and ending May 31, 2024.”*

2. Capitalized terms used but not defined herein shall have the meanings set forth in the Agreement.
3. Except as expressly set forth herein, the terms and conditions of the Agreement shall continue in full force and effect.
4. In the event of a conflict between the Agreement and this Amendment No. 2, the terms and conditions of this Amendment No. 2 shall control.

**IN WITNESS WHEREOF**, the Parties have caused their duly authorized representatives to enter into this Amendment No. 2, effective as of the Amendment Effective Date.

### **ULSTER COUNTY ECONOMIC DEVELOPMENT ALLIANCE, INC.**

By: \_\_\_\_\_  
NAME: Herbert W. Litts, III  
TITLE: Acting Chair  
DATE: \_\_\_\_\_

### **SPORT OF IRON FITNESS, LLC**

By: \_\_\_\_\_  
NAME: \_\_\_\_\_  
TITLE: \_\_\_\_\_  
DATE: \_\_\_\_\_