

**SECOND AMENDMENT
PLAYGROUND EQUIPMENT
PUBLIC BUILDING COMMISSION
CONTRACT NUMBER PS1038**

THIS SECOND AMENDMENT AGREEMENT is made and entered into as of the 9th day of August, 2011, and shall be deemed and taken as forming a part of the Agreement for Playground Equipment and Services ("Agreement") between by and between the **PUBLIC BUILDING COMMISSION OF CHICAGO**, a municipal corporation of the State of Illinois ("Commission") and **NUTOYS LEISURE PRODUCTS, INC** and **LANDSCAPE STRUCTURES, INC.**, ("Provider") dated June 12, 2007 with the like operation and effect as if the same were incorporated therein.

WITNESSETH:

WHEREAS, the Commission and Provider have heretofore entered into an Agreement dated the 12th day of June, 2007, wherein the Provider is to provide Playground Equipment and Services; and

WHEREAS, the Commission and Provider now desire to amend the Agreement to include additional Services performed and associated compensation due to Provider;

NOW THEREFORE, in consideration of the provisions and conditions set forth in the Agreement and herein, the parties hereto mutually agree to amend the Agreement as hereinafter set forth.

It is agreed by and between the parties hereto that the sole modification of, changes in and amendments to the Agreement pursuant to this Amendment are as follows:

TERMS

1. Recitals

THE ABOVE RECITALS ARE EXPRESSLY INCORPORATED IN AND MADE A PART OF THE AMENDMENT AGREEMENT AS THOUGH FULLY SET FORTH HEREIN.

2. Article 4. Term of Performance

The Commission is exercising its right to extend the agreement as provided under **Article 4.3 Agreement Extension Option** and extending the term of this agreement one (1) additional year.

The term of the extension is September 1, 2011 through August 31, 2012.

Execution of this Amendment by the is duly authorized by the Provider, and the signature(s) of each person signing on behalf of the Provider have been made with the complete and full authority to commit the Provider to all terms and conditions of this Amendment.

All capitalized terms not defined herein shall have the meaning ascribed to them in the agreement. Except as and to the extent that the terms of the Agreement are amended and modified herein, all terms of the Agreement shall remain in force and effect.

(Signature Page follows)

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IN WITNESS WHEREOF, the parties hereto have agreed and executed this Amendment No. 2.

PUBLIC BUILDING COMMISSION OF CHICAGO

BY: Rahm Emanuel Date: _____
Rahm Emanuel
Chairman

ATTEST:
BY: Lori A. Lypson Date: 10/24/11
Lori A. Lypson
Secretary

PROVIDER: NUTOYS LEISURE PRODUCTS, INC.

By: Moir Stagg Date: 9/27/11
Name Printed: Moir Stagg
Title: President

Subscribed and sworn to me this 27th day of September 2011.

Michelle L. Walsh
Notary Public

My Commission expires: 2/2/2014 (Seal of Notary)



PROVIDER: LANDSCAPE STRUCTURES INC.

By: Pat Faust Date: 9/26/11
Name Printed: Pat Faust
Title: President

Subscribed and sworn to me this 26th day of September 2011.

Jean Marie Hayes
Notary Public

My Commission expires: 1/31/2005 (Seal of Notary)



Approved as to form and legality

Jacinta Epting
Nea & Leroy, LLC