



RESOLUTION

APPROVING THE "SECOND AMENDMENT TO CONCESSION AGREEMENT"
BETWEEN THE CITY OF NASHUA AND BKK NASHUA, LLC

CITY OF NASHUA

In the Year Two Thousand and Five

RESOLVED by the Board of Aldermen of the City of Nashua to approve the attached Second Amendment to Concession Agreement between the City of Nashua and BKK Nashua, LLC capping the average turnstile per game attendance requirements at 2,800 fans for the 2008 through 2011 championship seasons.

SECOND AMENDMENT TO CONCESSION AGREEMENT

NOW COME the parties, the City of Nashua, a New Hampshire municipal corporation located at 229 Main Street, Nashua, Hillsborough County, New Hampshire, its successors and assigns (hereinafter “City”) and BKK, Nashua, LLC, its successors and assigns, with an address of 67 Amherst Street, Nashua, New Hampshire (hereinafter “Franchisor”), and Amend the Concession Agreement (hereinafter Agreement) entered between the parties on or about May 2001, as Amended on April 4, 2004 and assigned on November 15, 2004, as follows:

2. **II (C) (D) TERM**

The turnstile attendance figures as outlined in these paragraphs of the Agreement shall be amended as follows:

<u>Year/Championship Season Conclusion</u>	<u>Average Turnstile Per Game Attendance Requirements</u>
2008	2,800
2009	2,800
2010	2,800
2011	2,800

City of Nashua

Date

By: _____
Bernard A. Street, Mayor
Duly Authorized

BKK, Nashua, LLC

Date

By: _____
Duly Authorized