

**AMENDMENT
TO
MEMORANDUM OF UNDERSTANDING
(Deadline Extension)**

This Amendment to Memorandum of Understanding (“MOU”) is entered into on the ___ day of _____, 2026 (herein referred to as the “Effective Date”) by and between:

The City of Appleton, Wisconsin (herein referred to as “Owner”)

and

Driftwood Hospitality Management (herein referred to as “Operator”).

Parties may be referenced individually as “Party” and collectively as “Parties”.

WHEREAS, the Parties previously entered an MOU on or about April 16, 2026 containing the following term in Paragraph 12 of the MOU:

“In the event the Management Agreement is not ratified by the Parties before June 1, 2026, all agreements shall terminate unless further extended upon mutual agreement of the Parties.”

WHEREAS, the Parties agree it is necessary to amend the MOU to allow the parties some additional time to finalize terms of the Management Agreement and ratify the same and wish to extend the date in Paragraph 12 of the MOU from June 1, 2026 to July 1, 2026.

NOW, THEREFORE, the Parties agree as follows:

Paragraph 12 of the MOU shall be amended to reflect a July 1, 2026 deadline as follows:

12. Good Faith Execution of Agreement

The Parties agree that this MOU and terms stated herein shall be incorporated into a more comprehensive Management Agreement. Both this MOU and Management Agreement shall be conditioned upon final approval by the Appleton Common Council after Operator has executed the same. Upon approval of the MOU, the Parties shall operate the FCEC pursuant to the terms of this MOU while continuing to work in good faith to ratify the Management Agreement as soon as practicable. In the event the Management Agreement is not ratified by the Parties before July 1, 2026, all agreements shall terminate unless further extended upon mutual agreement of the Parties.

Except as expressly modified by this Amendment, all terms and conditions of the original MOU shall remain in full force and effect.

The undersigned Parties acknowledge and agree to this Amendment to the MOU:

Ownership Representative
on behalf of Driftwood Hospitality Management, Operator:

By: _____

Dated: _____

Printed Name: _____

Title: _____

City of Appleton, Wisconsin:

By: _____
Jacob A. Woodford, Mayor

By: _____
Amy Molitor, City Clerk

Date: _____

Date: _____

Approved as to form:

Christopher R. Behrens, City Attorney

CL: A25-0325