SPIELBAUER FIREWORKS CO., INC.

DISTRIBUTORS & EXHIBITORS

WISCONSIN'S OLDEST EXHIBITION FIREWORKS CO.

Office: 1976 Lane Road
Green Bay, WI 54311

Factory & Warehouses: Bellevue

Telephone 1-920-336-0446 Fax 1-920-336-1214

Menasha (Village) **WI** (Location)

Contract entered onto this **5th** day of **July** A.D., **2010** by and between Spielbauer Fireworks Co., Inc. party of the first part, and the **City of Menasha**.

Authorized Agent **Mayor Don Merkes**
(Official in Charge)

Party of the first part agrees to furnish party of the second part Fireworks per program submitted, said display to be given on the evenings of **July 4th, 2011 & July 4th, 2012** weather permitting. It should be understood that should inclement weather prevent the giving of said display on date herein mentioned, the program would be given on the next clear night falling during the above week, for the additional sum of two hundred dollars, to cover auxiliary costs suffered by party of the first part. If said display is not rescheduled, a cancellation fee of 20% of the contract price shall be charged.

Party of the second part agrees to furnish party of the first part sufficient space for the proper giving of said displays, also to furnish dry space to store and prepare said fireworks; furnish necessary police protection and necessary lumber that may be required for erecting the displays, to help our expert display man that we send to superintend said displays.

The party of the first part agrees that proper protection for the benefit of spectators will be covered by bodily injury and property damage insurance at the time of displays, automobiles excluded. It is further agreed and understood that the party of the second part is to pay the party of the first part the sum of **$15,000.00** for each of the above displays, same to be paid **$15,000.00 due by July 4th, 2011 and $15,000.00 due by July 4th, 2012**.

The parties hereto do mutually and severally guarantee the terms, conditions, and payments of this contract, their articles to be upon the parties themselves, their heirs, executors, administrators and assigns.

IN WITNESS WHEREOF we set our hands and seals in duplicate hereof this **5th** day of **July**, A.D., **2010**.

WITNESSES:

ACCEPTED BY X
(Official in Charge)

Peter W. Spielbauer
Spielbauer Fireworks Co., Inc. REP

REMARKS:
Fireworks as per itemized proposal number 10Me681 dated 5/10/10. Note that this is a two-year contract for July 4th, 2011 and July 4th, 2012. Note that Spielbauer will be allowed to make equal price substitutions during the term of the contract in order to introduce new items into the 2011 and 2012 displays.