

AMENDED REDEVELOPMENT CONTRACT

This Redevelopment Contract is made and entered into as of the 16th day of August, 2021, by and between the Community Development Agency of Lexington, Nebraska ("Agency"), and HNB Properties, LLC a Nebraska limited liability company ("Redeveloper").

WITNESSETH:

WHEREAS, the Agency and Redeveloper previously entered into a Redevelopment Contract (the "Contract") a copy of which is attached hereto and marked as Exhibit "A" and the parties wish to make a minor modification thereto;

WHEREAS, the Agency has adopted, a resolution dated March 27, 2017 (the "Bond Resolution") providing for the issuance of two bonds for the issuance of Series 2017 A Tax Increment Development Revenue Bond (the 2017 A Bond") and a Series 2017 B Tax Increment Development Revenue Bond (the 2017 B Bond");

WHEREAS, the City of Lexington Nebraska is the owner of the Series 2017 A bond and the Redeveloper is the owner of the 2017 B Bond;

WHEREAS, the Redeveloper has requested an amendment of the Contract and Bond Resolution so that the taxes divided pursuant to Section 18-2147 of the Nebraska Revised Statutes as to the real estate described on Exhibit "B" be allocated and paid on the 2017 B Bond for purposes of financing improvements on the real estate described on Exhibit "B";

NOW, THEREFORE, in consideration of the mutual covenants and agreements herein set forth, Agency and Redeveloper do hereby covenant, agree and bind themselves as follows:

ARTICLE I

AMENDMENT OF CONTRACT

Section 1.01 Amendment of Section 3.03 of the Contract.

Section 3.03 of the Contract is amended such that the TIF Revenues as to the real estate described on Exhibit "B" shall be allocated and paid on the 2017 B Bond and not on the 2017 A Bond. Provided however the paying agent on the bond shall make an adjustment on the payment schedules so that payment on the 2017 A Bond and the 2017 B Bond are made ratably and equally notwithstanding the allocation and payment of the TIF Revenues on the real estate on Exhibit "B" being made on the 2017 B Bond.

Section 1.02 Amendment of Section 3.05(a) of the Contract.

Section 3.05(a) of the Contract is amended such that the TIF Revenues in the Bond Fund as to the real estate described on Exhibit "B" shall be allocated and paid on the 2017 B Bond and not on the 2017 A Bond. Provided however the paying agent on the bond shall make an adjustment on the payment schedules so that payment on the 2017 A Bond and the 2017 B Bond are made ratably and equally notwithstanding the allocation and payment of the TIF Revenues on the real estate on Exhibit "B" being made on the 2017 B Bond.

Section 1.03 Redeveloper Consent as Owner and Holder of 2017 B Bond.

Redeveloper affirms that it is the owner and holder of the 2017 B Bond and as such owner and holder consents to the Agency modifying or supplementing the Bond Resolution to provide for the allocation and payment of TIF Revenues as described in this Amended Redevelopment Contract.

Section 1.04 Reaffirmation of the Remaining Terms of the Contract.

The Parties reaffirm all the remaining terms of the Contract.

IN WITNESS WHEREOF, City and Redeveloper have signed this Redevelopment Contract as of the date and year first above written.

ATTEST:

Secretary

COMMUNITY DEVELOPMENT
AGENCY OF
LEXINGTON, NEBRASKA

By: _____
Chairman

HNB PROPERTIES, LLC

By: _____
Its Manager

STATE OF NEBRASKA)
) SS
COUNTY OF DAWSON)

The foregoing instrument was acknowledged before me this _____ day of 2021, by _____ and _____, Chairman and Secretary, respectively, of the Community Development Agency of Lexington, Nebraska, on behalf of the Agency.

Notary Public

STATE OF NEBRASKA)
) SS
COUNTY OF DAWSON)

The foregoing instrument was acknowledged before me this _____ day of _____, 2021, by _____ Manager of HNB Properties, LLC, on behalf of the limited liability company.

Notary Public

EXHIBIT "A"
COPY OF REDEVELOPMENT CONTRACT

EXHIBIT "B"
LEGAL DESCRIPTION OF REAL ESTATE

Lot 3 and Lot 6, Southwest Fourth Subdivision, a Replat of Lots 1 thru 5, Block 1, Southwest First Addition, an Addition to the City of Lexington, Dawson County, Nebraska.

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