

**FIRST AMENDMENT TO AGREEMENT**

**THIS AMENDMENT**, made and entered into on this 14<sup>th</sup> day of July, 2022, by and between **LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT**, an urban county government pursuant to KRS Chapter 67A, and located at 200 East Main Street, Lexington, Fayette County, Kentucky 40507 (hereinafter referred to as "GOVERNMENT"), and the **FAYETTE COUNTY LOCAL DEVELOPMENT CORPORATION**, a Kentucky non-stock, non-profit corporation pursuant to KRS Chapter 273, and whose mailing address is 148 Deweese Street, Lexington, Kentucky 40507 (hereinafter referred to as "CHDO".)

**WHEREAS**, Government and SUBRECIPIENT entered into a CHDO Agreement dated June 19, 2020 ("Agreement"), in which the SUBRECIPIENT was allocated \$211,494 provided by the 2016, 2017, 2018 and 2019 Consolidated Plan for eligible Owner/Developer for Rental Housing Production Activities.

**WHEREAS**, SUBRECIPIENT has requested additional time to complete the funding provided by the 2016, 2017, 2018 and 2019 Consolidated Plan for eligible CHDO acting as an Owner/Developer for Rental Housing Production Activities;

**WHEREAS**, the Agreement provides for all amendments to be in writing executed by Government and SUBRECIPIENT;

**NOW, THEREFORE**, in consideration of the foregoing and mutually agreed upon promises, conditions, and covenants hereinafter set forth, the parties hereto agree as follows:

1. Article I, subsection entitled "Duration of the Agreement" shall be amended in its entirety to read as follows:

"The CHDO agrees to complete all acquisition and construction activities under this Agreement no later than March 31, 2023. The CHDO further agrees to project completion no later than March 31, 2023. Project Completion is defined as all construction work being completed, issuance of a Certificate of Occupancy by the Lexington-Fayette Urban County Government Division of Building Inspection, and final inspection by the Division of Grants and Special Programs. Project Completion also includes the rental of the unit to an eligible household and acceptance of Completion Report by HUD's Integrated Disbursement and Information System (hereinafter referred to as "IDIS"). Rental of units shall be completed within six months of project completion and Completion Report shall be submitted within one month of rent-up. The terms of this Agreement shall be in effect for the full period of affordability, which is a period of twenty (20) years."

2. In all other respects, except as specifically modified herein, the terms of the Agreement dated June 19, 2020, and shall remain in full force and effect with respect to the provisions outlined therein.

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BLANK.SIGNATURE PAGE TO FOLLOW.

IN WITNESS WHEREOF, the parties executed this Amendment at Lexington, Kentucky, the day, month, and year above written.

**LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT**

BY: *Linda Gorton*  
Linda Gorton, Mayor

DATE: 7/11/2022

ATTEST:

*Mackenzie Stock*  
Clerk of Urban County Council

**FAYETTE COUNTY LOCAL DEVELOPMENT CORPORATION**

BY: *Porter G. Peeples, Sr.*  
Porter G. Peeples, Sr., President

DATE: 6/28/22