# FIRST AMENDMENT TO AGREEMENT

**THIS AMENDMENT**, is made and entered into on this ____ day of _____ 2023, 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 **POLO CLUB PARK APARTMENTS, LLLP** ("**Owner**")**,** a Kentucky limited liability partnership, 159 Old Georgetown Street, Lexington, Fayette County, Kentucky 40508.

**WHEREAS**, Government and Owner entered into a HOME Agreement dated March 23, 2021 ("Agreement"), in which the Owner was allocated $453,409 provided by the 2019 Consolidated Plan for eligible HOME costs.

**WHEREAS**, Owner has requested additional time to complete the funding provided by the 2019 Consolidated Plan for developmental of rental housing for low-income HOME-eligible persons and/or households.

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

**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 1.40, titled "TIME OF COMPLETION" shall be amended to provide that that the Owner agrees to complete the development covered by this agreement on or before September 15, 2023.

2. In all other respects, except as specifically modified herein, the terms of the Agreement dated March 23, 2021, shall remain in full force and effect with respect to the provisions outlined therein.

**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, Mayor


DATE:_____

ATTEST:



_____
Clerk of Urban County Council


**POLO CLUB APARTMENTS, LLLP, a Kentucky limited liability limited partnership**

BY: Polo Club GP, LLC, a Kentucky limited liability company
Its: General Partner


BY: _____
       Name: Johan Graham
       Title: Managing Member


DATE:_____