

SECOND AMENDMENT TO REAL ESTATE PURCHASE AGREEMENT

This Second Amendment to Real Estate Purchase Agreement (this “Amendment”) is made and effective as of May 9, 2024 (“Effective Date”), by and between the City of South Bend, Indiana, Department of Redevelopment, acting by and through its governing body, the South Bend Redevelopment Commission (“Seller”) and Lafayette OpCo LLC, an Indiana limited liability company (“Buyer”) (each a “Party” and together the “Parties”).

RECITALS

A. Seller and Buyer are parties to that certain Real Estate Purchase Agreement dated September 28, 2023, as amended by that certain First Amendment to Real Estate Purchase Agreement, dated effective January 11, 2024 (the “Purchase Agreement”).

B. Seller and Buyer desire to further amend the Agreement on the terms hereinafter provided.

THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Seller and Buyer do hereby promise, covenant and agree as follows:

1. Capitalized terms used in this Amendment but not otherwise defined herein shall have the meanings assigned to such terms in the Purchase Agreement.
2. Seller and Buyer hereby agree to extend the Due Diligence Period by an additional ninety (90) days. The term “Due Diligence Period” means the period commencing on the Contract Date and continuing through July 24, 2024.
3. The Agreement shall continue in full force and effect, unmodified except to the extent provided by this Amendment, and the Seller and Buyer hereby RATIFY and AFFIRM the same.

[Signature Page Follows]

IN WITNESS WHEREOF, the Parties hereby execute this Amendment effective as of the Effective Date

BUYER:

LAFAYETTE OPCo LLC
BY: LAFAYETTE PARENTCo LLC
ITS: MANAGER

By: *Rachel Brandenberger*
Rachel Brandenberger, Manager

Date: April 29, 2024

SELLER:

SOUTH BEND REDEVELOPMENT COMMISSION

Troy Warner
President

ATTEST:

Vivian Sallis
Secretary