

FIRST AMENDMENT TO TEMPORARY ACCESS AGREEMENT

This First Amendment to Temporary Access Agreement (this “First Amendment”) is dated August 27, 2020 (the “Execution Date”), by and between the South Bend, Redevelopment Commission, governing body of the City of South Bend Department of Redevelopment (the “Commission”), and United Way of St. Joseph County Inc. (the “Company”) (each a “Party” and collectively the “Parties”).

RECITALS

A. The Commission and the Company entered into a Temporary Access Agreement dated December 12, 2019 (the “Agreement”) with regard to the Property; and

B. The Company is continuing its investigation into whether the Property is suitable for its development and desires to extend the term of the Agreement for an additional period of time; and

C. The Commission is amenable to the extension and the Parties wish to amend the Agreement to memorialize the extension of the term.

NOW, THEREFORE, in consideration of the mutual promises and obligations in this First Amendment and the Agreement, the adequacy of which consideration is hereby acknowledged, the Parties agree as follows:

1. Section 2 of the Agreement shall be deleted in its entirety and replaced with the following:

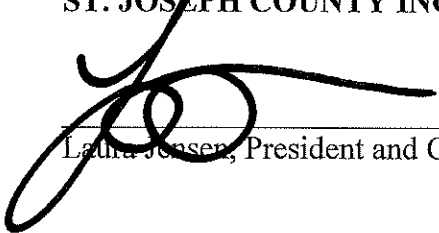
Term and Termination. The Term of this Agreement shall extend through March 31, 2021 and may be extended by a written amendment to this Agreement signed by both Parties. Commission may terminate this Agreement at any time with or without cause by providing Company with a written notice of termination.

2. Unless expressly modified by this First Amendment, the terms and provisions of the Agreement remain in full force and effect.
3. Capitalized terms used in this First Amendment will have the meanings set forth in the Agreement unless otherwise stated herein.

Signature Page Follows

IN WITNESS WHEREOF, the parties hereto have executed this First Amendment to Temporary Access Agreement to be effective as of the Execution Date stated above.

**UNITED WAY OF
ST. JOSEPH COUNTY INC.**



Laura Jensen, President and CEO

SOUTH BEND REDEVELOPMENT COMMISSION

Marcia I. Jones, President

ATTEST:

Quentin M. Phillips, Secretary