

## **1<sup>st</sup> AMENDMENT TO REAL ESTATE PURCHASE AGREEMENT**

This First Amendment to Real Estate Purchase Agreement (“First Amendment”) is made effective as of July 28, 2022 (the “Effective Date”), by the City of South Bend, Indiana, Department of Redevelopment, acting by and through its governing body, the South Bend Redevelopment Commission (the “Seller”) and Panaderia y Supermercado San Miguel, Inc., an Indiana corporation with its registered office at 2712 W. Western Ave., South Bend, IN 46619 (“Buyer” and collectively with the Seller, the “Parties”). Each of the Parties may be referred to in this Amendment as a “Party.”

### **Recitals**

- A. The Parties entered into a Real Estate Purchase Agreement, dated July 8, 2021 (the “REPA”), in which the Seller agreed to sell and the Buyer agreed to purchase and develop certain real property located at 2401 W. Western Ave., South Bend, Indiana (the “Property”).
  
- B. The Parties desire to modify certain portions of the REPA.

NOW, THEREFORE, in consideration of the foregoing and the mutual covenants and promises contained in this First Amendment and the REPA and for other good and valuable consideration, the receipt of which is hereby acknowledged, the Parties agree as follows:

1. Section 11.B.i of the REPA entitled shall be deleted in its entirety and replaced with the following:

- (i) Commence construction of the project within 24 months of the Closing Date;

2. Unless expressly modified by this First Amendment, the terms and provisions of the REPA remain in full force and effect.

3. Capitalized terms used in this First Amendment will have the meanings set forth in the REPA unless otherwise stated herein.

IN WITNESS WHEREOF, the undersigned have executed this First Amendment as of the date set forth after their signatures.

BUYER:

Panaderia Y Supermercado San Miguel, Inc.,  
an Indiana corporation

By: Erika Rodriguez

Printed: ERIKA RODRIGUEZ

Its: TREASURER

Dated: 7/22/22

SELLER:

South Bend Redevelopment Commission

By: \_\_\_\_\_  
Marcia I. Jones, President

ATTEST:

\_\_\_\_\_  
Troy Warner, Secretary

Date: July 28, 2022