

**AMENDMENT NO. 1 TO THE AGREEMENT BETWEEN CORPUS CHRISTI BUSINESS
AND JOB DEVELOPMENT CORPORATION AND FISHPOND LIVING AT CORPUS
CHIRSTI, LP**

The **CORPUS CHRISTI BUSINESS AND JOB DEVELOPMENT CORPORATION**, hereinafter referred to as the Corporation, and FishPond Living at Corpus Christi, LP, through its general partner, FishPond Corpus Christi Manager, LLC, hereinafter referred to as the Developer, do hereby make and enter into this amendment (the "Amendment") which, together with the Agreement for the Type A Affordable Housing Program with an effective date of January 27, 2020 (the "Agreement") and all other duly executed amendments, constitutes the entire agreement between the City and the Corporation.

I.

Both parties recognize and agree that they have operated and conducted business following the initial term's ending date, are now memorializing the change of term in writing, mutually agree to ratify the extended expiration date, and to revise the term as shown below.

II.

Section 1(c) of the Agreement is hereby deleted in its entirety and replaced with the following language:

"c. Complete construction of the project and obtain a Certificate of Occupancy ("C of O") from the City's Development Services Department within three years following the Effective Date. Developer will comply with all laws, rules, and ordinances in the construction of the Project and will obtain all required permits."

III.

Section 5 of the Agreement is hereby deleted in its entirety and replaced with the following language:

"5. Term. The term of this Agreement is for four years beginning on the effective date."

The Corporation and Developer agree to and shall abide by all terms and conditions of the original Agreement and any amendments to that Agreement, to the extent they are not in conflict with the terms of this Amendment.

APPROVED AS TO LEGAL FORM:

Lee Trujillo Date
President
Corpus Christi Business and Job Development
Corporation

Assistant City Attorney Date

David Fournier Date
Manager
FishPond Corpus Christi Manager, LLC