

FIRST AMENDMENT TO EXCLUSIVE NEGOTIATING RIGHTS AGREEMENT

FIRST AMENDMENT TO EXCLUSIVE NEGOTIATING RIGHTS AGREEMENT (this “**Amendment**”) is entered into by and between SSF PUC Housing Partners, LLC (the “**Developer**”) and the **CITY OF SOUTH SAN FRANCISCO**, a municipal corporation (“**City**”), dated as of November 13, 2019_ (the “**Effective Date**”). City and Developer are each referred to as “**Party**” or collectively referred to as the “**Parties.**”

WHEREAS, on July 11, 2018, the City approved an exclusive negotiating rights agreement which was executed by the Parties and effective as of July 23, 2018 (“**ENRA**”) to negotiate the disposition of the property commonly referred to as the South San Francisco PUC Site located in the City of South San Francisco, California, known as County Assessor’s Parcel Number (“**APN**”) 093-312-060, as more particularly described in Exhibit A of the ENRA (the “**Property**”); and,

WHEREAS, the ENRA expires on December 31, 2019 and the disposition of such Property is subject to the approval of the Oversight Board for the Successor Agency to the Redevelopment Agency of the City of South San Francisco (“**Oversight Board**”), which Oversight Board approval will not occur until after December 31, 2019;

NOW THEREFORE, in consideration of the mutual covenants and agreements hereinafter set forth and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties agree as follows.

1. ENRA Extension. The ENRA Term is extended until the earlier of Oversight Board approval of the disposition of the Property pursuant to agreements mutually agreed by and between the Parties pursuant to the ENRA or June 30, 2020.
2. No Modification. Other than as expressly provided in this Amendment, no other term or provision of the ENRA is modified or amended and this Amendment shall be incorporated and made a part of the ENRA. In the event of conflict between this Amendment and the ENRA, the terms of this Amendment shall control. Any capitalized term not otherwise defined expressly in this Amendment shall have the definitions assigned in the ENRA.

~ SIGNATURES ON FOLLOWING PAGE ~

IN WITNESS WHEREOF, the Parties have executed this Agreement as of the date first written above.

CITY

By: _____
Mike Futrell
City Manager

ATTEST:

By: _____

City Clerk

APPROVED AS TO FORM:

By: _____
Steve Mattas
City Attorney

DEVELOPER

By: _____

APPROVED AS TO FORM:

By: _____
Tamsen Plume, Holland & Knight Counsel for SSF PUC Housing Partners, LLC