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# SECOND AMENDMENT TO AGREEMENT FOR PURCHASE OF REAL ESTATE

THIS SECOND AMENDMENT TO AGREEMENT FOR PURCHASE OF REAL ESTATE (this "Amendment"), dated effective as of _____, 2022, is made by and between the City of Glendale, an Arizona municipal corporation ("Seller"), and TWG Development, LLC, an Indiana limited liability company ("Purchaser").

## STATEMENT OF BACKGROUND

WHEREAS, Seller and Purchaser entered into that certain Agreement for Purchase of Real Estate dated March 11, 2021 and as amended by that certain First Amendment to Agreement for Purchase of Real Estate on September 28, 2021 (as amended, the "Agreement"), for the purchase of certain property located in Glendale, Arizona and more particularly described in the Agreement.

WHEREAS, Seller and Purchaser desire to supplement and amend the Agreement as provided herein.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Seller and Purchaser hereby agree as follows:

1. Section 3 of the Agreement is hereby amended so that the Closing Date shall be a date mutually agreed to by the Seller and Purchaser but not later than December 31, 2022.

2. Section 4 of the Agreement is hereby amended so that the Due Diligence Period shall expire on the Closing Date of December 31, 2022.

3. Conflicts. In the event of any conflict between the terms of this Amendment and the Agreement, the terms of this Amendment shall control. The Agreement remains in full force and effect, except as modified by this Amendment. The Agreement, anywhere referenced as the "Agreement" in the Agreement, shall mean the Agreement as amended by this Amendment.

4. Counterparts. This Amendment may be executed in any number of counterparts, each of which shall be deemed an original, but all of which when taken together shall constitute one and the same instrument.

5. This Amendment shall be binding upon and inure to the benefit of the parties hereto, and their respective successors in interest and assigns.

[*signature page follows*]

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IN WITNESS WHEREOF, the parties hereto have executed and delivered this Amendment as of the date first above written.

**SELLER:**

CITY OF GLENDALE
an Arizona municipal corporation

By: _____
Name: _____
Title: _____

**ATTEST:**

_____
Julie K. Bower, City Clerk

**APPROVED AS TO FORM:**

_____
Michael D. Bailey, City Attorney

**PURCHASER:**

TWG Development, LLC,
an Indiana limited liability company

DocuSigned by:
By: _____
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Name: Louis A. Knoble
Title: Member