

WHEN RECORDED MAIL TO:

Office of Economic Development
Attention: Nicol Blan
201 W. Colfax Ave., Dept. 204
Denver, CO 80202

SPACE ABOVE THIS LINE IS FOR RECORDER'S USE

AMENDMENT AND MODIFICATION AGREEMENT

THIS AMENDMENT AND MODIFICATION AGREEMENT is made by and between the **CITY AND COUNTY OF DENVER**, a municipal corporation of the State of Colorado ("City") and **HABITAT FOR HUMANITY OF METRO DENVER, INC.**, a Colorado non-profit corporation, whose address is 3245 Eliot Street, Denver, CO 80211 ("Borrower"), (together, the "Parties").

WITNESSETH:

WHEREAS, the Parties entered into that certain Loan Agreement dated July 12, 2011, relating to a loan of One million Three Hundred Ninety-One Thousand Three Hundred and No/100 Dollars (\$1,391,300.00) of Neighborhood Stabilization Program 2 ("NSP2") funds pursuant to Title XII of Division A of the American Recovery and Reinvestment Act of 2009, Public Law No. 111-5 (enacted February 17, 2009) (the "Loan Agreement"); and

WHEREAS, Borrower entered into that certain Deed of Trust for the benefit of the City, dated September 30, 2011, and recorded on October 10, 2011 at Reception No. 2011113707 of the records of the City and County of Denver, State of Colorado, (the "Deed of Trust"), and encumbering the following described property:

Sable Ridge Development,
Filing No. 1,
Lot 7

also known and numbered as 15136 Andrews Drive, Denver, Colorado 80239; and

WHEREAS, the Deed of Trust was to secure the repayment of the indebtedness evidenced by that certain Promissory Note executed by Borrower for the benefit of the City, dated September 30, 2011 (the "Note"); and

WHEREAS, the Parties wish to modify the terms and conditions of the Loan Agreement, Note, Deed of Trust, and any other documents evidencing or securing the City's loan (together, the "Loan Documents"), to modify the repayment terms contained therein;

1. The payment terms of the Note are hereby amended by forgiving the repayment of the Funds upon the sale of the final Restricted Unit, as defined in the Loan Agreement. The Note shall be forgiven, deemed fully satisfied, and returned to the Borrower upon such sale.

2. The Loan Documents are hereby modified to reflect the amended terms of the Note.

3. Except as modified herein, the Loan Documents remain unmodified and are hereby ratified and reaffirmed.

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Contract Control Number:

IN WITNESS WHEREOF, the parties have set their hands and affixed their seals at Denver, Colorado as of

SEAL

CITY AND COUNTY OF DENVER

ATTEST:

By _____

APPROVED AS TO FORM:

REGISTERED AND COUNTERSIGNED:

By _____

By _____

By _____



Contract Control Number: OEDEV-GE1A008-01

Contractor Name: HABITAT FOR HUMANITY OF METRO DENVER

By: Heather Lafferty

Name: Heather Lafferty
(please print)

Title: Executive Director & CEO
(please print)

ATTEST: [if required]

By: Kristina J. Medina

Name: Kristina J. Medina
(please print)

Title: Director of Finance & Administration
(please print)

