

FIRST AMENDATORY AGREEMENT

THIS FIRST AMENDATORY AGREEMENT (the “Amendment”) is made and entered by and between the **CITY AND COUNTY OF DENVER**, a municipal corporation organized pursuant to the Constitution of the State of Colorado (“City”), and **RENEWAL VILLAGE HOUSING CORPORATION**, a Colorado nonprofit corporation, whose address is 2111 Champa Street, Denver, Colorado 80205 (“Grantee”), each individually a “Party” and collectively the “Parties.”

RECITALS:

WHEREAS, the Parties entered into that certain Funding Agreement dated April 12, 2024 (the “Agreement”), relating to a grant of federal ARPA funds to Grantee in the amount of \$3,214,131.00 (the “Grant”); and

WHEREAS, as a condition of receiving the Grant, Grantee agreed to rehabilitate one hundred seven (107) non-congregate shelter (“NCS”) units at property located at 200 W. 48th Avenue, Denver, Colorado 80216 (the “Property”) so that in the future the units may be converted into studio apartments for permanent supportive housing; and

WHEREAS, Grantee has successfully applied for housing vouchers from the Colorado Division of Housing and is in a position where it can, upon completion of the rehabilitation of the Property, immediately use twenty-six (26) of the units at the Property intended to be used as NCS units as affordable housing; and

WHEREAS, the City believes there is a significant benefit to allow Grantee to adjust the NCS unit count so that some of the units may be used as affordable housing; and

WHEREAS, the Parties wish to amend and modify the terms and conditions of the Agreement to modify the number of NCS units that are required to be operated at the Property.

NOW THEREFORE, in consideration of the promises herein contained and other good and valuable consideration, the receipt and adequacy of which is hereby acknowledged, and the Parties’ mutual covenants and obligations, the Parties agree as follows:

1. Section 1. of the Agreement entitled “**THE PROJECT**,” is deleted in its entirety and replaced with the following:

“1. **THE PROJECT**: Grantee agrees to rehabilitate the eighty-one (81) NCS units on the Property so that in the future the units may be converted into studio apartments for permanent supportive housing. Any

conversion of the NCS units to affordable rental units will be governed by the terms and conditions of the Loan Agreement.”

2. Section 5. of the Agreement entitled “**RESTRICTIONS ON USE OF PROPERTY,**” is deleted in its entirety and replaced with the following:

“5. **RESTRICTIONS ON USE OF PROPERTY:** The Loan Agreement between the City and Grantee requires that the Property be operated with one hundred thirty-four (134) affordable rental units and eighty-one (81) NCS units. The Property is currently encumbered by that certain Declaration of Restrictive Covenant (Affordable Housing and Shelter) dated August 16, 2023 and recorded on August 16, 2023 at Reception No. 2023078613, as amended from time to time (the “Covenant”) in the records of the City and County of Denver, Colorado. Grantee must continue to use the Property in accordance with the Covenant for the duration of the Covenant’s term.”

3. Except as herein amended, the Agreement will continue in effect, and is affirmed and ratified in each and every particular.

4. This First Amendment will not be effective or binding on the City until it has been fully executed by all required signatories of the City and County of Denver, and if required by Charter, approved by the City Council.

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[SIGNATURE PAGES TO FOLLOW]

Contract Control Number:
Contractor Name:

HOST-202475690-01 / HOST-202472486-01
RENEWAL VILLAGE HOUSING CORPORATION

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:

Attorney for the City and County of Denver

By:

By:

By:

Contract Control Number:
Contractor Name:

HOST-202475690-01 / HOST-202472486-01
RENEWAL VILLAGE HOUSING CORPORATION

By: See attached signature page

Name: See attached signature page
(please print)

Title: _____
(please print)

ATTEST: [if required]

By: _____

Name: _____
(please print)

Title: _____
(please print)

Contract Control Number:
Contractor Name:

HOST-202475690-01 / HOST-202472486-01
RENEWAL VILLAGE HOUSING CORPORATION

By: 

Name: Britta Fisher
(please print)

Title: President
(please print)

ATTEST: [if required]

By: _____

Name: _____
(please print)

Title: _____
(please print)