

FIRST AMENDMENT AND MODIFICATION AGREEMENT

THIS FIRST AMENDMENT AND MODIFICATION 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 **ST. FRANCIS CENTER**, a Colorado nonprofit corporation, whose address is 2323 Curtis Street, Denver, Colorado 80205 (“Borrower”), each individually a “Party” and collectively the “Parties.”

RECITALS:

WHEREAS, the Parties entered into a loan agreement dated January 6, 2022 (the “Loan Agreement”) for the City to provide financing to the Borrower in the principal amount of One Million Dollars and No/100 (\$1,000,000.00) (the “Loan”) for the acquisition of real property that is planned to be developed with sixty (60) affordable dwelling units (the “Project”); and

WHEREAS, the Loan Agreement contained an inaccurate and ambiguous term when referencing the Maturity Date of the Loan; and

WHEREAS, Parties wish to amend and modify the terms and conditions of the Loan Agreement to accurately reflect the agreement terms.

NOW THEREFORE, in consideration of the premises 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. The first sentence of Section 1.D. of the Loan Agreement entitled **LOAN TO BORROWER** is deleted and replaced with the following:

“The entire unpaid principal balance and accrued interest shall be due and payable on or before the thirty-sixth (36th) month anniversary of the date of the Promissory Note (the “Maturity Date”), if not sooner paid.”

2. Except as herein amended, the Loan Agreement continues in effect, and is affirmed and ratified in each and every particular.

3. This 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: HOST-202262614-01 / HOST-202160823-01
Contractor Name: The St. Francis Center

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-202262614-01 / HOST-202160823-01
The St. Francis Center

By: Tom Luehrs

Name: TOM LUEHRS
(please print)

Title: EXECUTIVE DIRECTOR
(please print)

ATTEST: [if required]

By: _____

Name: _____
(please print)

Title: _____
(please print)