

FIRST AMENDMENT TO THE RED BERRY ESTATE MASTER DEVELOPMENT AGREEMENT

This First Amendment to the Master Development Agreement ("First Amendment") is entered into by and between the City of San Antonio ("City"), a Texas Municipal Corporation, acting by and through its City Manager pursuant to Ordinance _____, the Board of Directors for the Tax Increment Reinvestment Zone Number Eleven of City of San Antonio, Texas ("Board"), and San Antonio Housing Trust Public Facility Corporation ("Developer"), a Texas public facility corporation, whom, together referred as the "Parties."

RECITALS

WHEREAS, City authorized the Red Berry Estate Master Development Agreement (the "Agreement") through City of San Antonio Ordinance No. 2017-10-12-0790 and 2017-10-12-0791, passed and approved on October 12, 2017, and attached hereto as **EXHIBIT D**.

WHEREAS, the Parties now seek to amend the terms and conditions of the Agreement in order to change the location of the Salado Creek Greenway Trailhead, move and replace the water pump, and to add additional reimbursement for the increased cost due to these modifications to the scope of the project.

NOW THEREFORE, the Parties hereby agree and amend as follows:

A) **Section D. CITY IMPROVEMENT SITE** is amended by including new section 1.2:

- a. The RK Group is granting an easement across its property for use as the Salado Creek Hike and Bike Trail. The commitment letter is attached, hereto as **Exhibit E**.

B) **Article IV. ECONOMIC DEVELOPMENT PROGRAM GRANT** Section A.1(c) is amended as follows to reflect the new reimbursement amount related to the Salado Creek Hike and Bike Trail System and water pump:

- (c) Three Million Sixteen Thousand Two Hundred and Ninety Dollars and No Cents (\$3,016,290.00) shall be paid for construction of the Improvements. Developer understands and agrees that the additional funding of One Million Two Hundred Thousand Dollars and No Cents (\$1,200,000.00) is contingent on Developer receiving approval from City's Parks and Recreation Department concerning the new location of the Salado Creek Hike and Bike Trail as well as City receiving a copy of the recorded easement.

This First Amendment is intended to address the new location for the Salado Creek Hike and Bike Trail System, the water pump, and the additional funding and shall control in instances

where the Master Development Agreement and this First Amendment conflict.

All other terms, conditions, covenants, and provisions of the Agreement are hereby continued and shall remain in effect in their original form. All exhibits attached hereto are hereby incorporated into the Master Development Agreement.

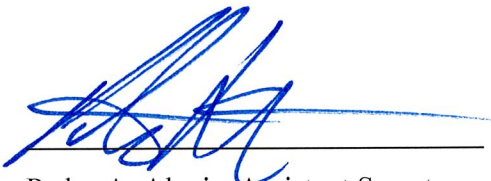
This First Amendment has been fully executed as of the date of signature of the last party to sign.

CITY OF SAN ANTONIO,
a Texas Municipal Corporation

San Antonio Housing Trust
Public Facility Corporation

City Manager or his designee

Date: _____



Pedro A. Alanis, Assistant Secretary

Pedro A. Alanis, Assistant Secretary

Date: 5-7-2021

BOARD OF DIRECTORS
Inner City TIRZ #11

Councilwoman Jada-Andrews Sullivan

Board Chair

Date: _____

ATTEST/SEAL

APPROVED AS TO FORM:

Tina J. Flores
City Clerk

Andrew Segovia
City Attorney