AMENDMENT TO PURCHASE AGREEMENT

This Amendment to Purchase Agreement (this "**Amendment**") is entered into as of _____, 2020, by and between **THE CITY OF COUNCIL BLUFFS, IOWA**, a municipal corporation ("**Seller**"), and **OPUS DEVELOPMENT COMPANY, L.L.C.**, a Delaware limited liability company ("**Buyer**").

RECITALS

A. Seller and Buyer are parties to that certain Purchase Agreement dated as of October 28, 2019 (the "**Original Agreement**").

B. The Earnest Money (as defined in the Original Agreement) currently will become non-refundable upon expiration of the current Inspection Period.

C. The parties desire to amend the Original Agreement to extend the period during which the Earnest Money is refundable.

AGREEMENT

NOW, THEREFORE, for valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereto agree as follows:

1. Capitalized Terms. All capitalized terms used in this Amendment, to the extent not otherwise expressly defined herein, shall have the same meaning given to such terms in the Original Agreement.

2. Earnest Money. Sections 4.1, 4.2 and 4.3 of the Original Agreement are hereby amended as follows:

(a) Section 4.1: Delete "then current" from the third sentence from the end.
(b) Section 4.2: Delete "then-current" from the second sentence from the end.
(c) Section 4.3: Delete "then-current" from the last sentence from the end.

3. Miscellaneous. Except as modified and amended by this Amendment, the Original Agreement is otherwise unchanged, and Seller and Buyer hereby ratify and affirm the same. All references to the "Agreement" in the Original Agreement are hereby amended to refer to the Original Agreement as amended by this Amendment. In the event of a conflict between the terms of this Amendment and the Original Agreement, this Amendment shall govern and control. This Amendment may be executed in one or more counterparts, and all such executed counterparts, when assembled to include an electronically signed or original or electronically mailed attached signature for each party contemplated to sign this Amendment, shall constitute a complete, fully executed, and single agreement, provided each party shall deliver to the other upon request, original executed pages.

[Signature Pages Follow]

SIGNATURE PAGE
FOR
AMENDMENT TO PURCHASE AGREEMENT

Seller has caused this Amendment to be executed and delivered as of the date first above written.

SELLER:

City of Council Bluffs, Iowa,
a municipal corporation

By: _____
Name: _____
Its: _____

SIGNATURE PAGE
FOR
AMENDMENT TO PURCHASE AGREEMENT

Buyer has caused this Amendment to be executed and delivered as of the date first above written.

BUYER:

OPUS DEVELOPMENT COMPANY, L.L.C.

By: _____
Name: _____
Date: _____ Its: _____