

THIRD AMENDMENT
TO PURCHASE AND SALE AGREEMENT

WHEREAS, the Delray Beach Community Redevelopment Agency, a Florida public body corporate and politic created pursuant to Section 163.356 F.S. (the “Seller”) and BH3 Management, LLC, a Florida limited liability company (the “Purchaser”) entered into that certain Purchase and Sale Agreement dated April 22, 2019 (the “Contract”) concerning the real property located in Delray Beach, Palm Beach County, Florida (the “Property”);

WHEREAS, the Contract was amended by that certain First Amendment to Purchase and Sale Agreement (“First Amendment”) which extended the date in paragraph 1.14f to September 1, 2019 and extended the commencement date of the restrictive covenant referenced in paragraph 1.17e to September 1, 2019.

WHEREAS, the Contract was amended by that certain Second Amendment to Purchase and Sale Agreement (“Second Amendment”) which extended the Application Date and extended the date for the execution of the Public Benefits Commitment;

WHEREAS, the Seller would like to enter into a new lease agreement with a tenant (“EJS Lease Agreement”) on the Property; and

NOW THEREFORE,

Seller and Purchaser agree to the following:

- 1) The Whereas clauses herein are hereby ratified and confirmed.
- 2) The second paragraph of Section 4.5.6 is hereby amended to include the following additional language:

Notwithstanding the foregoing, Seller may enter into a new commercial lease with Emanuel Jackson Sr. Project, Inc.

- 3) All other terms and provisions of the Contract not otherwise modified by this Third Amendment are hereby ratified and confirmed, and shall remain in full force and effect.

In the event of any inconsistencies between this Third Amendment, the Second Amendment, the First Amendment and the Contract, the provisions contained in this Third Amendment shall prevail. In any other respects, the Contract remains unchanged.

[SIGNATURE PAGES ON FOLLOWING PAGES]

IN WITNESS WHEREOF, the parties have executed this Third Amendment as of the dates indicated below:

WITNESS:

Witness

Witness

PURCHASER:
BH3 Management, LLC

By: _____

Title: _____

Date: _____, 2020

WITNESS:

Witness

Witness

SELLER:
Delray Beach Community Redevelopment
Agency

By: _____

Title: _____

Date: _____, 2020

APPROVED TO FORM:

By: