

SECOND AMENDMENT TO DEVELOPMENT AGREEMENT

This Second Amendment to the Development Agreement is entered into this ___ Day of September, 2020, by and between the Town of Munster, Indiana, an Indiana municipal corporation (the “Town”), the Town of Munster Redevelopment Commission, the governing body of the Munster, Indiana Department of Redevelopment (the “Redevelopment Commission”), and Town of Munster Economic Development Commission (the “Economic Development Commission”)(collectively referred to as the “Town Parties”), and Maple Leaf Crossing, LLC, an Indiana limited liability company (the “Developer”).

RECITALS

WHEREAS, the Developer and the Town Parties contemplated that Developer would improve the Project Site according to the Site Plan which received final approval by the Town Parties on or about July 14, 2020.

WHEREAS, the development of the Project Site required that the Town convey approximately one acre of land (“Parcel 2”) to the Developer. To that end, the Town and Developer entered into a Real Estate Sale and Purchase Agreement in January, 2020.

WHEREAS, the Town have been unable to transfer title to Parcel 2 due to a cloud on the title. The Town has or will commence a quiet title action to clear title to Parcel 2 after which the Town will transfer title of Parcel 2 to the Developer.

WHEREAS, the Developer is unable to record the development or commence construction until the transfer of Parcel 2 has concluded.

WHEREAS, this process has taken longer than any of the parties anticipated when the Development Agreement was executed despite diligent efforts on the part of all parties.

WHEREAS, the current pandemic caused by covid-19 has frustrated the efforts by all parties to continue to move forward with the Project until such time as the current public health crisis has been resolved and the citizens of the Town are able to resume their normal activities of daily living.

NOW, THEREFORE, in consideration of the foregoing, the parties agree to a second extension of each of the deadlines in the Development Agreement by an additional One Hundred and Eighty-Five (185) days, or a total of Three Hundred and Sixty-Five Days (365), with the commencement of construction by April 1, 2021. [DWW1]The parties further agree to reassess these deadlines and develop a reasonable construction schedule once the Town is able to convey title to Parcel 2 and resume its normal and routine business. All other terms and conditions of the Development Agreement shall remain intact and unchanged.

Agreed and entered into on the date first recited above.

TOWN OF MUNSTER, INDIANA

By: _____
Lee Ann Mellon, President

ATTEST:

Wendy Mis, Clerk-Treasurer

TOWN OF MUNSTER
REDEVELOPMENT COMMISSION

By: _____

Title: _____

ATTEST:

By: _____
Secretary

TOWN OF MUNSTER ECONOMIC
DEVELOPMENT COMMISSION

By: _____

Title: _____

ATTEST:

By: _____
Secretary

MAPLE LEAF CROSSING, LLC.
an Indiana Limited Liability Company

By: _____

Title: _____