

AMENDMENT TO CONTRACT TO GROUND LEASE – 9%

This AMENDMENT TO CONTRACT TO GROUND LEASE – 9% (“Amendment”) is made as of the 8th day of November, 2018, by and between the **FAIRFAX COUNTY REDEVELOPMENT AND HOUSING AUTHORITY**, a political subdivision of the Commonwealth of Virginia (“FCRHA”), and **THE RESIDENCES AT NORTH HILL 2, LLC**, a Virginia limited liability company (“Developer”).

RECITALS

R-1 The FCRHA and CHPPENN I, LLC, a Virginia limited liability company and an affiliate of Developer (“CHPPENN”), entered into the Contract to Ground Lease – 9%, dated March 2, 2017 (the “Contract”), regarding the development of a portion of parcel known as North Hill and defined therein as the “Ground Lease Premises.”

R-2 CHPPENN assigned the Contract to Developer through the Assignment and Assumption of Contract to Ground Lease, dated March 2, 2017.

R-3 The FCRHA and the Developer wish to extend the deadline for closing, as set forth in the Contract, as further described in this Amendment.

R-4 Accordingly, the FCRHA and the Developer wish to amend the Contract according to the terms of this Amendment.

NOW, THEREFORE, in consideration of the Recitals, which are incorporated into this Amendment by reference, the mutual covenants and agreements contained herein, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties agree as follows:

1. Any capitalized term used but not defined in this Amendment shall have the same definition as provided for such term in the Contract.

2. The Contract is hereby amended by deleting “December 1, 2018.” in Section 3.2(a) of the Contract and replacing such deleted text with “November 30, 2019. The Parties may further extend the Expiration Date by mutual written agreement, neither Party having any obligation to do so.”

3. Except as amended herein, the terms and conditions of the Contract shall be and remain in full force and effect.

[Signatures appear on the following pages.]

IN WITNESS WHEREOF, the parties have caused this Amendment to be executed on the day and year first written above.

FCRHA:

FAIRFAX COUNTY/REDEVELOPMENT AND HOUSING AUTHORITY,
a political subdivision of the Commonwealth of Virginia

By:  _____

Name: Thomas Fleetwood

Title: Assistant Secretary

DEVELOPER:

THE RESIDENCES AT NORTH HILL 2, LLC


a Virginia limited liability company

By: CHPPENN The Residences at North Hill 2, LLC
a Virginia limited liability company
Its Managing Member

By: CHPPENN The Residences at North Hill JV, LLC
a Virginia limited liability company
Its Sole Member

By: CHP North Hill, LLC
a Virginia limited liability company
Its Manager

By: Community Housing Partners Corporation
a Virginia nonstock corporation
Its Sole Member

By: 
Name: David Schultz
Title: Senior Vice President

And by: PENN North Hill, LLC
a Virginia limited liability company
Its Manager

By: Pennrose GP, LLC
a Pennsylvania limited liability company
Its Sole Member

By: _____
Name: Mark H. Dambly
Title: President

DEVELOPER:

THE RESIDENCES AT NORTH HILL 2, LLC

a Virginia limited liability company

By: CHPPENN The Residences at North Hill 2, LLC
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By: _____
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