

FIRST AMENDMENT TO MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF CLEVELAND HEIGHTS AND CEDAR LEE CONNECTION, LLC

This First Amendment to Memorandum of Understanding ("Amendment") is effective as of the 21st day of April, 2020 ("Effective Date"), by and between Cedar Lee Connection, LLC ("Developer") and the City of Cleveland Heights (the "City") (collectively, the "Parties") as follows:

WITNESSETH:

WHEREAS, on or about July 24, 2019, the Parties entered into a Memorandum of Understanding ("MOU") relating to certain City-owned property located between Cedar Road and Meadowbrook Road in the City, as described therein ("Property"); and

WHEREAS, Sections 4 and 6 of the MOU provide in pertinent part that within 180 days of the effective date of the MOU or, if extended, within 270 days thereof ("Deadline"): a) Developer would complete certain due diligence relative to the Property and the Project; and b) the Parties would enter into a mutually agreeable Development Agreement; and


WHEREAS, the Deadline was extended until April 20, 2020, pursuant to the terms of the MOU; and

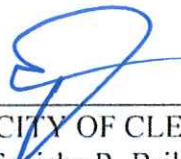
WHEREAS, for reasons including the current COVID-19 global pandemic, the Parties now desire to amend the MOU to provide for an extension of the Deadline for three (3) months, until and including July 20, 2020.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Parties hereto agree as follows:

1. The terms of this Amendment shall supersede any contrary provision in the MOU. Any defined terms utilized in this Amendment that are not otherwise defined shall have the same meanings as stated in the MOU.
2. The Deadline is hereby extended to July 20, 2020.
3. Except as modified by this First Amendment to MOU, all terms and conditions of the MOU shall remain in full force and effect.
4. This First Amendment to MOU may be executed in counterparts and/or in electronic format.

[Signatures appear on next page]


CEDAR LEE CONNECTION, LLC
By: Richard Ferris
Title: Manager
Date: 4/21/20


THE CITY OF CLEVELAND HEIGHTS
By: Tanisha R. Briley, City Manager
Date: 4-21-2020

Approved as to legal form:


WILLIAM R. HANNA
Director of Law