

FIRST AMENDMENT TO REDEVELOPMENT ASSISTANCE AGREEMENT

THIS FIRST AMENDMENT TO REDEVELOPMENT ASSISTANCE AGREEMENT ("Amendment") is made by and between the CITY OF LITTLETON, a Colorado home rule municipality (the "City"), and DILLON COMPANIES, INC., a Kansas corporation ("King Soopers").

WHEREAS, King Soopers and the City entered into that certain Redevelopment Assistance Agreement dated September 17, 2013 (the "Agreement"); and

WHEREAS, the Agreement contained a scrivener's error that did not reflect the agreement reached by the parties and approved by the City's governing body; and

WHEREAS, the parties desire to execute this Amendment to correct the scrivener's error.

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

1. Section 1.b.2 of the Agreement is hereby amended and restated in its entirety, effective September 17, 2013, to read as follows: After such amount has been collected and retained by the City, the City shall thereafter rebate to King Soopers fifty (50) percent of any further retail sales tax collected for that respective year.
2. The Agreement, as amended herein, remains in full force and effect and constitutes a legally binding obligation of the parties.

IN WITNESS WHEREOF, the parties have executed this Amendment this ___ day of ___, 2016.

KING SOOPERS:

DILLON COMPANIES, INC., a Kansas corporation

By: _____
Name: Dennis R. Gibson
Title: Vice President



CITY:

CITY OF LITTLETON, a Colorado home rule municipality

ATTEST:

Approved as to Form:

Wendy Heffner, City Clerk

Kristin Schledorn, City Attorney