

FIRST AMENDMENT TO AGREEMENT

This First Amendment to Sales Tax Incentive Agreement ("Amendment") is entered into by and between the CITY OF HANFORD, a municipal corporation ("City"), and PINNACLE POINTE, LLC, a California limited liability company ("Company").

RECITALS

- A. Effective April 7, 2015, City and Company entered into that certain Sales Tax Incentive Agreement ("Agreement").
- B. All terms and conditions of the Agreement are incorporated herein by reference.

The parties hereto agree to amend the Agreement as follows:

- 1. Section 3.1.15 of the Agreement is deleted in its entirety and restated as follows:

“**Term**’ shall mean that period commencing as of the first (1st) day of the first (1st) full Fiscal Quarter immediately following the Effective Date and ending on the ninth (9th) year anniversary of that date, unless earlier terminated as provided by this Agreement.”
- 2. Section 4.1.1. of the Agreement is deleted in its entirety and restated as follows:

“As a condition of receiving City Payments, Company will construct the improvements outlined in the attached Exhibit ‘C’ that will benefit the City and Company and will cause Retailer to establish and operate the Store at the Property. As a condition of receipt of City Payments, the Store must be Open for Business no later than December 31, 2017, and must generate Retail Sales in excess of the Threshold Amount in any particular Fiscal Quarter.”
- 3. All terms and provisions of the Agreement not amended hereby shall remain in full force and effect.

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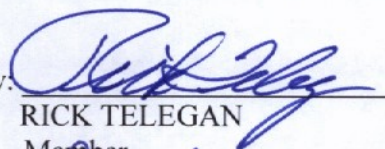
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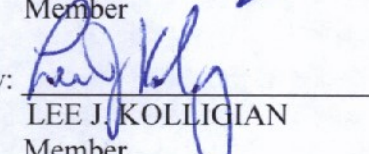
IN WITNESS WHEREOF, the parties hereto have executed this Agreement in Hanford, Kings County, California.

Pinnacle Pointe, LLC,
a California limited liability company

Dated: JUNE 11, 2015

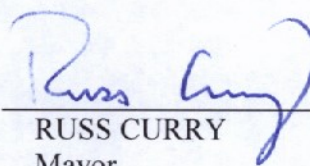
By: 
RICK TELEGAN
Member

Dated: 6-11, 2015

By: 
LEE J. KOLLIGIAN
Member

CITY OF HANFORD

Dated: June 11, 2015

By: 
RUSS CURRY
Mayor