

**FIRST AMENDMENT TO  
AMENDED AND RESTATED DEVELOPMENT STRUCTURE AGREEMENT**

This First Amendment to Amended and Restated Development Structure Agreement (this “**Amendment**”) is made effective as of the \_\_\_ day of July, 2022 (the “**Effective Date**”), between the City of Lee’s Summit, Missouri, a political subdivision of the State of Missouri (the “**City**”), Lane4 Property Group, Inc., a Missouri corporation (the “**Developer**”), and Biederman Redevelopment Ventures, a New York S-corporation (the “**Manager**”) (each a “**Party**” collectively the “**Parties**” as the context so requires).

**RECITALS**

**WHEREAS**, the Parties previously entered into that Amended and Restated Development Structure Agreement dated as of January 4, 2022 (the “**Agreement**”). All capitalized and otherwise undefined terms used in this Amendment will have the meanings ascribed to such terms in the Agreement.

**WHEREAS**, the Parties desire to modify certain terms and conditions of the Agreement.

**AGREEMENT**

**NOW, THEREFORE**, in consideration of the mutual promises set forth herein and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties agree as follows:

1. **Compensation for the Developer Services**. The first sentence in Section 4.2.B of the Agreement is hereby deleted in its entirety and replaced with the following:

*As compensation for the Developer Services, the City shall pay Developer a “**Retainer**” in an amount equal to Two Hundred Forty Thousand and No/100 Dollars (\$240,000.00), payable in twenty-four (24) equal monthly installments of Ten Thousand and No/100 Dollars (\$10,000.00) due on the first day of each calendar month, beginning on June 1, 2021.*

2. **Counterparts**. This Amendment may be executed and transmitted by electronic means (such as .pdf) in multiple counterparts, each of which when so executed and delivered shall be deemed an original, and all of which together shall constitute but one and the same instrument.
3. **No Other Amendments**. Except as modified by this Amendment, all terms, conditions and obligations contained in the Agreement shall remain in full force and effect and shall have the same effect as if repeated herein in their entirety.

[Signature Page Follows]

**IN WITNESS WHEREOF**, the Parties hereto have executed and delivered this Amendment to be effective as of the Effective Date.

**City of Lee's Summit, Missouri**

By: \_\_\_\_\_  
Stephen Arbo, City Manager

Attest:

\_\_\_\_\_  
Trisha Fowler Arcuri, City Clerk

Approved as to form:

\_\_\_\_\_  
David Bushek,  
Chief Counsel of Economic Development & Planning

**Biederman Redevelopment Ventures**

By: \_\_\_\_\_  
Daniel Biederman

**Lane4 Property Group, Inc.**

By: \_\_\_\_\_  
Owen Buckley, President