

AMENDMENT TO AGREEMENT BETWEEN N.COLE WILLIAMS AND THE CITY OF DURHAM FOR BUILDING IMPROVEMENT INCENTIVES FOR ECONOMIC DEVELOPMENT ACTIVITIES

This contract amendment (“Amendment”) is dated and entered into as of the _____ day of _____, 20_____, between N. Cole Williams (hereinafter, the “Company”) and City of Durham (“City”).

The City and the Company entered into a contract titled “Agreement Between N. Cole Williams and the City of Durham for Building Improvement Incentives for Economic Development Activities,” dated November 1, 2010. That contract is referred to as the “Original Contract.” The Original Contract referenced a completion date of no later than one year following the “Approval Date.” The City Council approved the Original Contract on November 1, 2010. As required by the Original Contract, the Company began work prior to nine months from the Approval date, but the Company will be unable to complete the required work by November 1, 2011 due to factors beyond Company’s control and at no fault of Company. The Original Contract is hereby amended as follows:

1. In Section 2(a), *Prerequisites to Payments*, after “Qualifying Capital Investment”, delete the phrase, “within one year of the Approval Date, for a project begun no later than 9 months following the Approval Date” and insert “no later than March 31, 2012.”

IN WITNESS THEREOF, the City and the Company have caused this contract amendment to be executed under seal themselves or by their respective duly authorized agents or officers.

CITY OF DURHAM

ATTEST:

By: _____

Preaudit Certificate, if required:

Amendment to Agreement Between N. Cole Williams and the City of Durham for Building Improvement Incentives for Economic Development Activities

N.COLE WILLIAMS

By: _____
N. Cole Williams

State of _____

ACKNOWLEDGMENT BY
N. COLE WILLIAMS

County of _____

I, a notary public in and for the aforesaid county and state, certify that
_____ personally appeared
before me this day and acknowledged the execution of the foregoing contract or
agreement with the City of Durham. This the _____ day of _____,
20_____.

My commission expires:

Notary Public