

20 WEST MAIN LLC

and

TOWN OF RIVERHEAD INDUSTRIAL DEVELOPMENT AGENCY

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FIRST AMENDMENT TO LEASE AGREEMENT dated July 17, 2015

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Dated as of June 23, 2016

This FIRST AMENDMENT TO SALE AGREEMENT ("FIRST AMENDMENT") dated July 17, 2015 is made as of the 23rd day of June, 2016 between 20 WEST MAIN LLC, a New York liability company (the "Company") qualified to do business in the State of New York, and the TOWN OF RIVERHEAD INDUSTRIAL DEVELOPMENT AGENCY, an industrial development agency and a public benefit corporation of the State of New York (the "Agency").

W I T N E S S E T H :

WHEREAS, the Lease Agreement dated as of July 17, 2015 was duly executed and entered into by the Company and the Agency, a true and complete copy of which is annexed hereto as Exhibit A and incorporated herein as though fully set forth which Lease Agreement is currently in full force and effect, and

WHEREAS, the Agency, by resolution number 23-16 adopted April 4, 2016 did authorize amendment to lease approval procedure of the Company.

NOW, THEREFORE, for and in consideration of the premises and the mutual covenants hereinafter contained, the parties hereto hereby formally covenant, agree and bind themselves as follows, to wit:

The Lease Agreement dated as of July 17, 2015 is hereby ratified and confirmed in all respects subject to the following:

Section 7.2 is hereby deleted in its entirety and replaced with new Section 7.2 stating as follows:

Section 7.2 Approval of Company Tenants. No retail tenants shall be permitted to locate on the second and third floor of property which is the subject of this project known as 20 West Main Street, Riverhead, New York. The Applicant shall provide written notification of the name, general nature of the business and number of employees of each tenant to the Agency within 30 days of such tenant occupancy and shall likewise provide such information in the Applicant's Annual Report to the Agency stating such information as of the date of the Annual Report. Applicant hereby agrees that it will lease the Project for uses which promote the development of downtown Riverhead in conformance with the goals of urban renewal and revitalization. Therefore, no use shall be permitted for tattoo parlor, massage parlor, check cashing center, calling center, taxi stand, tobacconist or other uses associated with urban blight.

IN WITNESS WHEREOF, the Agency and the Company have caused this First Amendment to Lease Agreement to be executed in their respective corporate names as of the date first set forth above.

TOWN OF RIVERHEAD INDUSTRIAL  
DEVELOPMENT AGENCY

By: \_\_\_\_\_

Thomas Cruso  
Chairperson

20 WEST MAIN LLC

By: \_\_\_\_\_

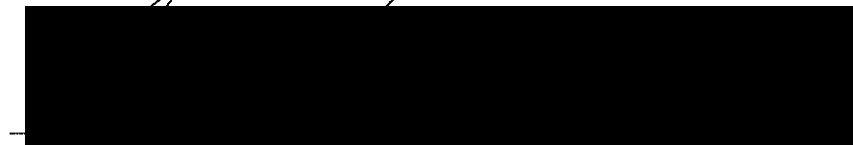
Georgia Malone  
Authorized Representative

STATE OF NEW YORK )

) ss.:

COUNTY OF SUFFOLK )

On the 27<sup>th</sup> day of June in the year 2016 before me, the undersigned, a notary public in and for said State, personally appeared Thomas Cruso personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that she executed the same in its capacity and that by its signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.



Notary Public

RICHARD A. EHLERS  
Notary Public, State of New York  
Suffolk County No. 02EH4738288  
Commission Expires February 28, 2018

STATE OF NEW YORK )

) ss.:

COUNTY OF SUFFOLK )

On the       day of June in the year 2016 before me, the undersigned, a notary public in and for said State, personally appeared Georgia Malone personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that she executed the same in its capacity and that by its signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Notary Public

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This FIRST AMENDMENT TO SALE AGREEMENT ("FIRST AMENDMENT") dated July 17, 2015 is made as of the 14th day of June, 2016 between 20 WEST MAIN LLC, a New York liability company (the "Company") qualified to do business in the State of New York, and the TOWN OF RIVERHEAD INDUSTRIAL DEVELOPMENT AGENCY, an industrial development agency and a public benefit corporation of the State of New York (the "Agency").

W I T N E S S E T H :

WHEREAS, the Lease Agreement dated as of July 17, 2015 was duly executed and entered into by the Company and the Agency, a true and complete copy of which is annexed hereto as Exhibit A and incorporated herein as though fully set forth which Lease Agreement is currently in full force and effect, and

WHEREAS, the Agency, by resolution number 23-16 adopted April 4, 2016 did authorize amendment to lease approval procedure of the Company.

NOW, THEREFORE, for and in consideration of the premises and the mutual covenants hereinafter contained, the parties hereto hereby formally covenant, agree and bind themselves as follows, to wit:

The Lease Agreement dated as of July 17, 2015 is hereby ratified and confirmed in all respects subject to the following:

Section 7.2 is hereby deleted in its entirety and replaced with new Section 7.2 stating as follows:

Section 7.2 Approval of Company Tenants. No retail tenants shall be permitted to locate on the second and third floor of property which is the subject of this project known as 20 West Main Street, Riverhead, New York. The Applicant shall provide written notification of the name, general nature of the business and number of employees of each tenant to the Agency within 30 days of such tenant occupancy and shall likewise provide such information in the Applicant's Annual Report to the Agency stating such information as of the date of the Annual Report. Applicant hereby agrees that it will lease the Project for uses which promote the development of downtown Riverhead in conformance with the goals of urban renewal and revitalization. Therefore, no use shall be permitted for tattoo parlor, massage parlor, check cashing center, calling center, taxi stand, tobacconist or other uses associated with urban blight.

IN WITNESS WHEREOF, the Agency and the Company have caused this First Amendment to Lease Agreement to be executed in their respective corporate names as of the date first set forth above.

TOWN OF RIVERHEAD INDUSTRIAL  
DEVELOPMENT AGENCY

By: \_\_\_\_\_  
Thomas Cruso  
Chairperson

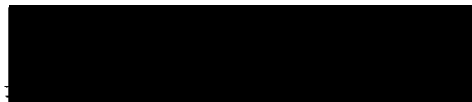
20 WEST MAIN LLC

By: \_\_\_\_\_  
Georgia Malone  
Authorized Representative



STATE OF NEW YORK     )  
                              *New York*     ) ss.:  
COUNTY OF ~~SUFFOLK~~     )

On the 21 day of June in the year 2016 before me, the undersigned, a notary public in and for said State, personally appeared Georgia Malone personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that she executed the same in its capacity and that by its signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.



Notary Public

Steven H. Hurowitz  
Notary Public, State of New York  
No. 01HU4691211  
Qualified in Queens County  
Certificate Filed in New York County  
Commission Expires April 30, 2017

