

**AGREEMENT TO AMEND THE OWNER PARTICIPATION AGREEMENT BETWEEN  
THE EAGLE URBAN RENEWAL AGENCY AND PACIFIC WEST COMMUNITIES,  
INC, THE CHARTER SCHOOL FUND – ORO VALLEY LLC AND TPC BROOKLYN  
PARK INVESTORS, LLC**

**THIS AGREEMENT** to amend the Owner Participation Agreement dated February 1, 2017 ("OPA") to extend the time to complete certain reimbursable public improvements is made by and between the Eagle Urban Renewal Agency, an independent public body corporate and politic, organized and existing under the laws of the State of Idaho and known as the Urban Renewal Agency of the City of Eagle, Idaho ("EURA") and the PACIFIC WEST COMMUNITIES, INC., an Idaho corporation, CHARTER SCHOOL FUND – ORO VALLEY, LLC., an Arizona limited liability company and TPC BROOKLYN PARK INVESTORS, LLC., a Minnesota limited liability company (jointly and severally referred to as "Participants").

**WHEREAS**, EURA and Participants entered into the OPA effective and commencing on February 1, 2016 to provide reimbursement for certain public improvements with dates for completion of said improvements;

**WHEREAS**, the Participants need additional time, specifically until December 31, 2017, to complete the noted Reimbursable Public Improvements in the East End Marketplace and the Eagle Lakes portions of the Site;

**WHEREAS**, the Parties desire to amend and extend the time to December 31, 2017 to complete the Reimbursable Public Improvements in the East End Marketplace and the Eagle Lakes portions of the Site;

**WHEREAS**, the parties desire that all other terms and conditions in the Agreement remain the same.

**NOW THEREFORE**, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Parties agree to amend their Agreement as follows:

1. The General Development section of Attachment 3 – Scope and Schedule of Development shall be amended as follows: The second sentence of the fifth paragraph of the General Development section found on page 51 of the OPA shall be amended to change the date for completion of the Reimbursable Public Improvements in the East End Marketplace and the Eagle Lakes portions of the Site from June 30, 2017 to December 31, 2017.

2. All other terms of the Agreement shall remain the same and in full force and effect.

This agreement to amend the OPA shall be effective this 23<sup>RD</sup> day of May 2017.

**AGENCY**

EAGLE URBAN RENEWAL AGENCY

By: Jeff Kunz  
Jeff Kunz  
Board Chairman

Attest: Ellen Smith  
EURA Secretary

Date: 5-23-17

**PARTICIPANTS**

Date: MAY 24, 2017

PACIFIC WEST COMMUNITIES, INC.

By: Caleb Roope  
Caleb Roope, President/CEO

Date: MAY 24, 2017

THE CHARTER SCHOOL FUND – ORO  
VALLEY, LLC

By  \_\_\_\_\_

TPC Commercial, LLC, Managing Member  
Caleb Roope, Manager

Date: MAY 24, 2017

TPC BROOKLYN PARK INVESTORS, LLC

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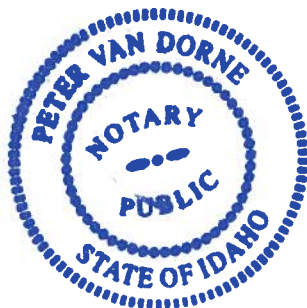
TPC CS Holdings I, LLC, Manager  
Caleb Roope, Manager




STATE OF IDAHO )  
                              ) ss.  
County of Ada        )

On this 24<sup>th</sup> day of MAY, 2017, before me, a Notary Public in and for the State of Idaho, personally appeared Caleb Roope known or identified to me to be the authorized Manager of TPC Commercial, LLC, known or identified to me to be the Managing Member of The Charter School Fund – Oro Valley LLC, the company that executed the instrument or the person who executed the instrument on behalf of said company, and acknowledged to me that such company executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.




  
\_\_\_\_\_  
Notary Public for Idaho  
Residing at: BOISE  
My commission expires: 7/26/2017

STATE OF IDAHO )  
                              ) ss.  
County of Ada        )

On this 24<sup>th</sup> day of MAY, 2017, before me, a Notary Public in and for the State of Idaho, personally appeared Caleb Roope known or identified to me to be the authorized Manager of TPC Brooklyn Park Investors, LLC, known or identified to me to be the Manager of TPC CS Holdings I, LLC, the company that executed the instrument or the person who executed the instrument on behalf of said company, and acknowledged to me that such company executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.



  
\_\_\_\_\_  
Notary Public for Idaho  
Residing at: BOISE  
My commission expires: 7/26/2017