

Amendment 2 to Council Resolution No. 107 - 2020

BY: Liz Walsh

Legislative Day 11

Date: July 29, 2020

Amendment No. 2

(Confirms the intent that certain obligations and covenants of Carrolls under the DRRA, including not to construct any roads that would connect the Site or any portion thereof to Burnside Drive, would survive the termination of the DRRA.)

1 On page 1 of 9 of Exhibit 1, after Recital number 6, insert the following:

2 “7. Section 9.2 of the Existing DRRA shall be amended to include the following:

3 C. Notwithstanding anything in this Agreement to the contrary, the obligations of the
4 Carrolls under this Agreement shall survive the termination of this Agreement and the
5 covenants of the Carrolls under this Agreement shall be set forth in a covenant to the
6 County and to be recorded within sixty (60) days following execution of this Amendment
7 and shall run with and be binding upon the Site and inure to the benefit of the Carrolls
8 and the County and their respective heirs, successors and assigns, including but not
9 limited to Sections 2.3, 3.1, 3.2, and 4.3.”.

10
11 On page 3 of 9 of Exhibit 1, in Section 1.1 at the end of the replacement language of
12 subsection A, following the period, insert the following:

13
14 Notwithstanding anything in this Agreement to the contrary, the obligations of the
15 Carrolls under this Agreement shall survive the termination of this Agreement and the

1 covenants of the Carrolls under this Agreement shall be set forth in a covenant to the
2 County and to be recorded within sixty (60) days following execution of this Amendment
3 and shall run with and be binding upon the Site and inure to the benefit of the Carrolls
4 and the County and their respective heirs, successors and assigns, including but not
5 limited to Sections 2.3, 3.1, 3.2, and 4.3.”.

6
7 Renumber the sections accordingly.
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