

**FIRST AMENDMENT TO
CITY OF LAS VEGAS REDEVELOPMENT AGENCY
COMMERCIAL VISUAL IMPROVEMENT PROGRAM AGREEMENT**

THE FIRST AMENDMENT TO THE COMMERCIAL VISUAL IMPROVEMENT PROGRAM AGREEMENT ("First Amendment") is made and entered into as of the 14th day of Sept, 2009, by and between Plug It Inn II, LLC, a Nevada limited liability company ("Participant" and the City of Las Vegas Redevelopment Agency ("Agency"), and hereby amends that certain Commercial Visual Improvement Program Agreement dated for reference purposes as of July 1, 2009 (the "Original Agreement").

WITNESSETH:

- A. WHEREAS, Agency administers certain funds for the purposes of improving the physical appearance of, and encouraging reinvestment in existing commercial structures; and
- B. WHEREAS, the Original Agreement contemplates that the Agency shall offer reimbursement up to \$38,200 to the Participant for exterior site improvements that are substantial in scope and which is clearly visible from the City of Las Vegas' (City") public right-of-way; and
- C. WHEREAS, Agency and Participant desire to amend the Original Agreement as set forth below.

NOW, THEREFORE, in consideration of the mutual terms, conditions and provisions herein contained, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, it is hereby mutually agreed by and between Participant and Agency that the Original Agreement be amended as follows:

- 1. Attachment 3, Exhibit C of the Original Agreement is hereby amended by substituting the following:

FORM OF FAÇADE EASEMENT REPURCHASE PRICE
AMORTIZATION SCHEDULE

- 1. Amount of Purchase Price: \$50,000.00 (Maximum)
- 2. Repurchase Price based on unamortized portion of Purchase Price amortized on the straight-line basis over five (5) years as follows:

Anytime during first year:	<u>\$50,000.00</u>
Anytime during second year:	<u>\$40,000.00</u>
Anytime during third year:	<u>\$30,000.00</u>
Anytime during fourth year:	<u>\$20,000.00</u>
Anytime during fifth year:	<u>\$10,000.00</u>
After five full years from recordation of the Façade Easement Deed:	<u>\$ 0</u>

2. Attachment 5 of the Original Agreement is hereby amended by substituting the following:

SCOPE OF WORK AND TENTATIVE SCHEDULE OF IMPROVEMENTS

Work Item	Cost
Signage	\$24,640.00
Landscaping	\$51,745.00
Stone Veneer	\$17,520.00
Subtotal	\$93,905.00
TOTAL ESTIMATED PROJECT COSTS	\$93,905.00
Estimated CVIP Grant	\$46,952.50
Plus contingency	\$ 3,047.50
Maximum Reimbursement for CVIP Grant	\$50,000.00

Note – Items in bold are “Pre-approved Qualified Exterior Improvements”

Schedule of Improvements

Work will begin 90 no more than 90 days after approval of Agreement and should be completed within 120-180 days, depending on contractors' work schedule/work load.

3. Except as amended hereby, the Original Agreement remains valid and in full force and effect.

Date of Agency Approval:

September 16, 2009

CITY OF LAS VEGAS REDEVELOPMENT AGENCY

By: 
Oscar B. Goodman, CHAIRMAN
“AGENCY”

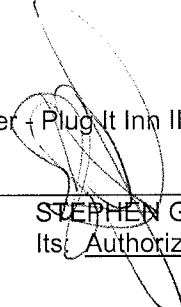
APPROVED AS TO FORM:

 8/26/09
Office of the City Attorney Date

ATTEST:


BEVERLY K. BRIDGES, CMC
Secretary

Owner - Plug It Inn II, LLC

By: 
STEPHEN G. SIEGEL
Its: Authorized Representative