

**SECOND AMENDMENT TO
DEFERRED LOAN AGREEMENT TO FUND CITY IMPACT SENIOR HOUSING
NEW CONSTRUCTION PROJECT**

This SECOND AMENDMENT TO DEFERRED LOAN AGREEMENT TO FUND CITY IMPACT SENIOR HOUSING NEW CONSTRUCTION PROJECT (this "**Second Amendment**") is entered into by and between the CITY OF LAS VEGAS, a Nevada municipal corporation ("**City**") and SILVER STATE HOUSING, a non-profit corporation organized under the laws of the State of Nevada (the "**Sponsor**"). The City and Sponsor are sometimes collectively referred to herein as the "**Parties**".

This Agreement is effective on the date signed by the City and Sponsor, whichever date is later, as long as the date signed by the second party is within thirty (30) calendar days of signature by the first party (the "**Effective Date**").

RECITALS

WHEREAS, the City and Sponsor entered into that certain *Deferred Loan Agreement to Fund City Impact Senior Housing New Construction Project* (the "**Agreement**") dated May 22, 2018, to provide financial assistance to Sponsor for the construction of 66 affordable housing units which will provide independent living for senior citizens who are age 55 and older, commonly known as the "City Impact Senior Housing" (the "**Project**"); and

WHEREAS, the City and Sponsor entered into that certain *First Amendment to Deferred Loan Agreement to Fund City Impact Senior Housing New Construction Project* (the "**First Amendment**") dated August 28, 2019, for the City to provide additional funds for the Project in the amount of TWO HUNDRED AND FIFTY THOUSAND DOLLARS (\$250,000) (the "**Additional Funds**"); and

WHEREAS, Sponsor has acquired three (3) contiguous parcels that adjoin the current Project parcel commonly identified as Clark County Assessor's Parcel Numbers: 162-03-801-067, 068, and 085; and

WHEREAS Sponsor desires to combine these three (3) contiguous parcels into the current Project parcel (APN: 162-03-801-140) thereby making them part of the Project; and

WHEREAS, it is the mutual desire of the Parties to further amend the Agreement to incorporate these three (3) contiguous parcels into the current Project parcel thereby making them part of the Project.

NOW, THEREFORE, in consideration of the foregoing Recitals and terms, conditions and covenants set forth below, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties hereto agree to amend the Agreement as follows:

AGREEMENT

1. The foregoing recitals are true and correct and shall be incorporated herein by this reference.
2. The term "Property" as used throughout the Agreement and related exhibits thereto shall be revised and updated now be known to mean the four parcels commonly identified as Clark

County Assessor's Parcel Numbers: 162-03-801-067, 162-03-801-068, 162-03-801-085, and 162-03-801-140.

3. Exhibit "D-1" PROJECT SITE MAP is hereby amended and revised, and attached hereto and incorporated herein by reference.
4. Exhibit "E" PROJECT SITE LEGAL DESCRIPTION is hereby amended and revised, and attached hereto and incorporated herein by reference.
5. Sponsor shall execute, or cause to be executed by its affiliates, all additional documents to secure the City's interest in the Project, including by way of example and not limitation, Amended Promissory Notes, Amended Deeds of Trust, and applicable Amended Assignments of said documents to the City.
6. The Parties represent and acknowledge that as of the date of this Second Amendment, neither party (i) is in default under the terms of the Agreement; (ii) has any defense, set off or counterclaim to the enforcement by either party of the terms of the Agreement; and (iii) is aware of any action or inaction by either party that would constitute an event of default by either party under the Agreement.
7. In the event of a conflict between any provision(s) of the Agreement and of this Second Amendment, this Second Amendment shall control.
8. Unless otherwise specifically defined in this Second Amendment, all capitalized terms used herein shall have the meaning ascribed to them in the Agreement.
9. In all other respects, the Agreement and First Amendment are hereby ratified and confirmed, in full.
10. This Second Amendment may be executed in any number of counterparts, each of which shall be an original and all of which shall together constitute one and the same instrument. It shall not be necessary for any counterpart to bear the signature of all Parties hereto. Executed copies hereof may be delivered by facsimile or e-mail, pursuant to NRS 719.240, and upon receipt will be deemed originals and binding upon the Parties hereto, regardless of whether originals are delivered thereafter.

[Intentionally Left Blank; Signatures Contained on Next Page]

PL: 18-1901.005.002

IN WITNESS WHEREOF, the Parties hereto have executed this Second Amendment on the Effective Date as defined herein.

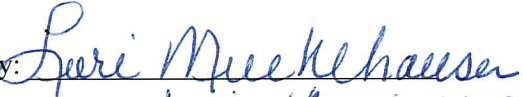
CITY OF LAS VEGAS
"CITY"

By: 

Kathi Thomas, Director
Department of Neighborhood Services

Date: 10/30/23

SILVER STATE HOUSING
"SPONSOR"

By: 

Printed Name: LORI MUEHLHAUSEN

Title: EXECUTIVE DIRECTOR

Date: 10/23/23

Attest:

By: 

LuAnn D. Holmes, MMC
City Clerk

EAST SAHARA SENIOR HOUSING
LIMITED PARTNERSHIP, A NEVADA
LIMITED PARTNERSHIP

"OWNER"/"BORROWER"

By: East Sahara Senior Housing, LLC, a
Nevada limited liability company,
its General Partner

Approved as to Form: Dimitri P. Dalacas
Deputy City Attorney

By:  10/25/23

Deputy City Attorney Date

By: 

George Gekakis, its Manager

Date: 10-23-23

Exhibit "E" PROJECT SITE LEGAL DESCRIPTION

PARCEL 1: (APN: 162-03-801-140)

THAT PORTION OF THE SOUTHEAST QUARTER (SE ¼) OF SECTION 3, TOWNSHIP 21 SOUTH, RANGE 61 EAST M.D.M. DESCRIBED AS FOLLOWS:

LOT ONE (1) OF THAT CERTAIN PARCEL MAP ON FILE IN FILE 123 OF PARCEL MAPS, PAGE 52, IN THE OFFICE OF THE COUNTY RECORDER OF CLARK COUNTY, NEVADA.

PARCEL 1A:

NON-EXCLUSIVE EASEMENT AS CREATED BY THAT CERTAIN AGREEMENT, RECORDED MAY 31, 1963, IN BOOK 449 AS DOCUMENT NO. 362167, OF OFFICIAL RECORDS, FOR ROAD PURPOSES WITH RIGHT OF INGRESS AND EGRESS AND PUBLIC UTILITIES OVER, UNDER AND ACROSS THE LAND DESCRIBED THEREIN. SUBJECT TO THE TERMS, PROVISIONS AND CONDITIONS SET FORTH IN SAID INSTRUMENT.

PARCEL 1B:

NON-EXCLUSIVE EASEMENT APPURTENANT TO PARCEL 1 FOR ROAD PURPOSES, PEDESTRIAN AND VEHICULAR ACCESS, INGRESS AND EGRESS, AND FIFTY (50) VEHICULAR PARKING SPACES, AS CREATED BY, AND MORE PARTICULARLY DESCRIBED IN, THAT CERTAIN GRANT OF EASEMENT FOR ACCESS AND PARKING DATED AS OF MAY 15, 2018, RECORDED MAY 31, 2018, AS INSTRUMENT NO. 20180531-0002238, OF OFFICIAL RECORDS, IN THE OFFICIAL RECORDS OF CLARK COUNTY, NEVADA. SUBJECT TO THE TERMS, PROVISIONS AND CONDITIONS SET FORTH IN SAID INSTRUMENT.

PARCEL 2: (APN: 162-03-801-068)

THAT PORTION OF THE SOUTHEAST QUARTER (SE 1/4) OF THE SOUTHEAST QUARTER (SE 1/4) OF SECTION 3, TOWNSHIP 21 SOUTH, RANGE 61 EAST, M.D.B. & M., IN THE COUNTY OF CLARK, STATE OF NEVADA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER (SE 1/4) OF SAID SECTION 3; THENCE ALONG THE SOUTH LINE OF SAID SECTION 3, NORTH 87°12'48" EAST, A DISTANCE OF 1468.28 FEET TO THE SOUTHEAST CORNER OF THAT PARCEL OF LAND DESCRIBED IN THE DEED TO THE KIDS CORPORATION, RECORDED MARCH 27, 1961 AS DOCUMENT NO. 234139 OF OFFICIAL RECORDS, CLARK COUNTY, NEVADA; THENCE ALONG THE EAST LINE OF SAID DESCRIBED PARCEL NORTH 0°56,11" EAST, 50.11 FEET TO THE NORTH LINE OF SAN FRANCISCO (SAHARA) AVENUE;

THENCE ALONG THE NORTH LINE OF SAID SAN FRANCISCO AVENUE, NORTH 87°12'48" EAST, 230.00 FEET TO POINT "A"; THENCE CONTINUING ALONG THE NORTH LINE OF SAID SAN FRANCISCO AVENUE, NORTH 87°12,48" EAST 115.00 FEET; THENCE PARALLEL WITH THE EAST LINE OF SAID PARCEL DESCRIBED IN THE DEED RECORDED AS DOCUMENT NO. 234139, NORTH 0°56'11" EAST 336.90 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID PARALLEL LINE NORTH 0°56'11" EAST, 50.00 FEET; THENCE AT RIGHT ANGLES TO SAID PARALLEL LINE NORTH 89°03'49" WEST, 114.76 FEET,

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TO A POINT IN A LINE THAT BEARS NORTH 0°56'11" EAST FROM THE AFOREMENTIONED POINT "A"; THENCE ALONG SAID LAST MENTIONED LINE, PARALLEL WITH THE AFOREMENTIONED EAST LINE OF SAID PARCEL DESCRIBED IN THE DEED RECORDED AS DOCUMENT NO. 234139 SOUTH 0°56'11" WEST, 50.00 FEET; THENCE AT RIGHT ANGLES TO SAID PARALLEL SOUTH 89°03'49" EAST, FEET TO THE TRUE POINT OF BEGINNING.

THE ABOVE METES AND BOUNDS LEGAL DESCRIPTIONS APPEARED PREVIOUSLY IN THAT CERTAIN GRANT, BARGAIN, SALE DEED, RECORDED MAY 26, 2022 AS INSTRUMENT NO. 20220526-0000166, OF OFFICIAL RECORDS, CLARK COUNTY, NEVADA.

PARCEL 3: (APN: 162-03-801-067)

THAT PORTION OF THE SOUTHEAST QUARTER (SE 1/4) OF THE SOUTHEAST QUARTER (SE 1/4) OF SECTION 3, TOWNSHIP 21 SOUTH, RANGE 61 EAST, M.D.B. & M., IN THE COUNTY OF CLARK, STATE OF NEVADA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER (SE 1/4) OF SAID SECTION 3; THENCE ALONG THE SOUTH LINE OF SAID SECTION 3, NORTH 87°12'48" EAST, A DISTANCE OF 1468.28 FEET TO THE SOUTHEAST CORNER OF THAT PARCEL OF LAND DESCRIBED IN THE DEED TO THE KIDS CORPORATION, RECORDED MARCH 27, 1961 AS DOCUMENT NO. 234139 OF OFFICIAL RECORDS, CLARK COUNTY, NEVADA; THENCE ALONG THE EAST LINE OF SAID DESCRIBED PARCEL NORTH 0°56'11" EAST, 50.11 FEET TO THE NORTH LINE OF SAN FRANCISCO (SAHARA) AVENUE; THENCE ALONG THE NORTH LINE OF SAID SAN FRANCISCO AVENUE, NORTH 87°12'48" EAST 230.00 FEET TO POINT "A"; THENCE CONTINUING ALONG THE NORTH LINE OF SAID SAN FRANCISCO AVENUE NORTH 87°12'48" EAST 115.00 FEET; THENCE PARALLEL WITH THE EAST LINE OF SAID PARCEL DESCRIBED IN THE DEED RECORDED AS DOCUMENT NO. 234139 NORTH 0°56'11" EAST, 386.90 FEET TO THE TRUE POINT BEGINNING; THENCE CONTINUING ALONG SAID PARALLEL LINE NORTH 0°56'11" EAST, 50.00 FEET; THENCE AT A RIGHT ANGLE TO SAID PARALLEL LINE NORTH 89°03'49" WEST, 114.76 FEET TO A POINT IN A LINE THAT BEARS NORTH 0°56'11" EAST FROM THE AFOREMENTIONED POINT "A"; THENCE ALONG SAID LAST MENTIONED LINE, PARALLEL WITH THE AFOREMENTIONED EAST LINE OF SAID PARCEL DESCRIBED IN THE DEED RECORDED AS DOCUMENT NO. 234139 SOUTH 0°56'11" WEST, 50.00 FEET; THENCE AT RIGHT ANGLES TO SAID PARALLEL LINE SOUTH 89°03'49" EAST, FEET TO THE TRUE POINT OF BEGINNING.

THE ABOVE METES AND BOUNDS LEGAL DESCRIPTIONS APPEARED PREVIOUSLY IN THAT CERTAIN GRANT, BARGAIN, SALE DEED, RECORDED MAY 26, 2022 AS INSTRUMENT NO. 20220526-0000166, OF OFFICIAL RECORDS, CLARK COUNTY, NEVADA.

PARCEL 4: (APN: 162-03-801-085)

THAT PORTION OF THE SOUTHEAST QUARTER (SE ¼) OF THE SOUTHEAST QUARTER (SE ¼) OF SECTION 3, TOWNSHIP 21 SOUTH, RANGE 61 EAST, M.D.M., IN THE COUNTY OF CLARK, STATE OF NEVADA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER (SE ¼) OF SAID SECTION 3;

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THENCE ALONG THE SOUTH LINE OF SAID SECTION 3, NORTH 87°12'48" EAST, A DISTANCE OF 1468.28 FEET TO THE SOUTHEAST CORNER OF THAT PARCEL OF LAND DESCRIBED IN THE DEED TO THE KIDS CORPORATION, RECORDED MARCH 27, 1961 AS DOCUMENT NO. 234139 OF OFFICIAL RECORDS OF CLARK COUNTY, NEVADA;

THENCE ALONG THE EAST LINE OF SAID DESCRIBED PARCEL NORTH 0°56'11" EAST, 50.11 FEET TO THE NORTH LINE OF SAN FRANCISCO (SAHARA) AVENUE;

THENCE ALONG THE NORTH LINE OF SAID SAN FRANCISCO AVENUE NORTH 87°12'48" EAST, 230.00 FEET TO POINT "A";

THENCE CONTINUING ALONG THE NORTH LINE OF SAID SAN FRANCISCO AVENUE NORTH 87°12'48" EAST, 115.00 FEET;

THENCE PARALLEL WITH THE EAST LINE OF SAID PARCEL DESCRIBED IN THE DEED RECORDED AS DOCUMENT NO. 243139, NORTH 0°56'11" EAST, 286.90 FEET TO THE TRUE POINT OF BEGINNING;

THENCE CONTINUING ALONG SAID PARALLEL LINE NORTH 0°56'11" EAST, 50.00 FEET; THENCE AT RIGHT ANGLES TO SAID PARALLEL LINE NORTH 89°03'49" WEST, 114.76 FEET TO A POINT IN A LINE THAT BEARS NORTH 0°56'11" EAST FROM THE AFOREMENTIONED POINT "A";

THENCE ALONG SAID LAST MENTIONED LINE, PARALLEL WITH THE AFOREMENTIONED EAST LINE OF SAID PARCEL DESCRIBED IN THE DEED RECORDED AS DOCUMENT NO. 234139, SOUTH 0°56'11" WEST, 50.00 FEET;

THENCE AT RIGHT ANGLES TO SAID PARALLEL LINE SOUTH 89°03'49" EAST, 114.76 FEET TO THE TRUE POINT OF BEGINNING.

THE ABOVE METES AND BOUNDS LEGAL DESCRIPTIONS APPEARED PREVIOUSLY IN THAT CERTAIN GRANT, BARGAIN, SALE DEED, RECORDED JUNE 7, 2022 AS INSTRUMENT NO. 20220607-0000325, OF OFFICIAL RECORDS, CLARK COUNTY, NEVADA.

PARCEL 5:

NON-EXCLUSIVE EASEMENT AS CREATED BY THAT CERTAIN AGREEMENT, RECORDED MAY 31, 1963, IN BOOK 449 AS DOCUMENT NO. 362164, OF OFFICIAL RECORDS, FOR INGRESS AND EGRESS OVER, UNDER AND ACROSS THE LAND DESCRIBED THEREIN. SUBJECT TO THE TERMS, PROVISIONS AND CONDITIONS SET FORTH IN SAID INSTRUMENT.

Assessor's Parcel Number: 162-03-801-067, 068, 085, 162-03-801-140