

AMENDMENT TO LAND DISPOSITION AGREEMENT

On this 13th day of December, 2018, now come **The City of Somerville**, a body corporate and politic and a political subdivision of the Commonwealth of Massachusetts, acting by and through its Office of Strategic Planning and Community Development with an address of 93 Highland Avenue, Somerville, Massachusetts 02143 (the "City"), and **PowderHouse Living, LLC**, a Massachusetts limited liability company with an address of 162 Sidney Street, Cambridge, Massachusetts 02139, being the assignee from Marka, LLC pursuant to an Assignment of Land Disposition Agreement dated November 18, 2016 and recorded in the Middlesex South District Registry of Deeds in Book 68457, Page 1 (the "Developer"), and hereby agree to amend the Land Disposition Agreement (the "LDA") dated June 21, 2016 and recorded in the Middlesex South District Registry of Deeds in Book 68456, Page 583 regarding the real property located at **1060 Broadway, Somerville, Massachusetts**, as described in the Deed recorded in the Middlesex South District Registry of Deeds in Book 68457, Page 27, as follows:


1. The Development Milestones as stated in Section J(3) of the LDA shall have the deadline by which construction of the Project shall be completed extended from November 18, 2019 (being thirty-six months after the Closing Date) until May 18, 2020.
2. The following subparagraph shall be added to Section R, Miscellaneous Provisions:
 3. Powderhouse Living, LLC shall submit such plans, obtain such approvals, shall construct and complete the Usable Open Space in accordance with the following schedule:
 - January 15, 2019: Design Development package and preliminary estimates submitted to the City for review.
 - February 15, 2019: City completes review and submits comments to Powderhouse Living, LLC.
 - February- June: Monthly meetings with Powderhouse Living, LLC and their consultant(s) until there is an agreed upon plan.
 - June 15, 2019 Final Design submitted to the City for review.
 - August 15, 2019 Final comments/approvals from City to Powderhouse Living, LLC
 - August 2019: Community Meeting to present final design
 - October 15, 2019 -Submit CD set complete 75%
 - December 1, 2019 -City Internal Review Concludes and CD to 100% commences
 - January 15, 2020 -100% CD set to City for permit circulation
 - Bid Winter 2020
 - Construction to begin Spring 2020
 - Project completion end of 2020

3. All other provisions of the LDA shall remain in full force and effect.

CITY

DEVELOPER

City of Somerville
By: Hon. Joseph A. Curtatone,
Mayor of Somerville



PowderHouse Living, LLC
By: Sebastian Mariscal, Authorized Person

Approved as to form by:

Francis X. Wright, Jr., Esq.,
Somerville City Solicitor

COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, ss.

On the _____ day of _____, 201____, before me, the undersigned notary public, personally appeared Joseph A. Curtatone, Mayor of the City of Somerville, proved to me through satisfactory evidence of identification, which was _____, to be the person whose name is signed on the preceding document, and acknowledged to me that he signed it voluntarily for its stated purpose as the free and voluntary act of the said City of Somerville, before me

Notary Public
My commission expires: _____

COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, ss.

On the 13th day of December, 2018, before me, the undersigned notary public, personally appeared Sebastian Mariscal, Authorized Person for PowderHouse Living, LLC, proved to me through satisfactory evidence of identification, which was personal knowledge, to be the person whose name is signed on the preceding document, and acknowledged to me that he signed it voluntarily for its stated purpose as the free and voluntary act of the said PowderHouse Living, LLC, before me

[Signature]

Notary Public
My commission expires: 2/27/2020

