

**FIRST AMENDMENT TO ECONOMIC INCENTIVE  
REDEVELOPMENT AGREEMENT FOR THE D.R. HORTON REDEVELOPMENT OF  
LOT 4 OF YORKTOWN COMMONS COMPRISING A PART OF THE BUTTERFIELD-  
YORKTOWN TIF DISTRICT OF THE VILLAGE OF LOMBARD, ILLINOIS**

This First Amendment (the "First Amendment") to Redevelopment Agreement (as defined below) is made and entered into as of the \_\_\_\_ day of November 2022 by and between the Village of Lombard, Illinois, an Illinois non-home rule municipal corporation (the "Village") and D.R. Horton, Inc. – Midwest, a California corporation authorized to conduct business in the State of Illinois (the "Developer"). (The Village and the Developer are sometimes referred to herein collectively as the "Parties." Each initially capitalized term used but undefined herein shall have the meaning ascribed to it in the Redevelopment Agreement.)

**WITNESSETH**

WHEREAS, pursuant to Ordinance No. 8091 adopted October 20, 2022, the Village approved an ECONOMIC INCENTIVE REDEVELOPMENT AGREEMENT FOR THE D.R. HORTON REDEVELOPMENT OF LOT 4 OF YORKTOWN COMMONS COMPRISING A PART OF THE BUTTERFIELD-YORKTOWN TIF DISTRICT OF THE VILLAGE OF LOMBARD, ILLINOIS," dated October 24, 2022 (the "Redevelopment Agreement"), with the Developer relative to the property legally described in Exhibit A attached hereto and made part hereof (the "Property"); and

WHEREAS, to allow the Developer sufficient time to acquire the Property and thereafter prepare for necessary construction activities and submit application for all necessary permits and approvals to commence such activities for the Project, the Village and the Developer desire to amend certain provisions of the Redevelopment Agreement in order to (1) extend the time by which the Developer is to acquire the

Property and provide the Village with a final timeline of proposed and requisite construction activities, in both instances, from December 1, 2022 to February 1, 2023; and (2) extend the time by which the Developer is to submit application for all necessary permits and approvals related to the Project from January 1, 2023 to March 1, 2023.

**WHEREAS**, in accordance with the Tax Increment Allocation Redevelopment Act, 65 ILCS 5/11-74.4-1, *et seq.*, it is in the best interests of the Village and the Developer to enter into this First Amendment.

**NOW, THEREFORE**, in consideration of the foregoing, other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged by the Parties, and the mutual covenants and agreements hereinafter contained, the Parties hereby agree as follows:

1. That Section V.A. of the Redevelopment Agreement is hereby amended as follows: the two references to the date "December 1, 2022" are each revised to read "February 1, 2023."

2. That Section V.B. of the Redevelopment Agreement is hereby amended as follows: the reference to the date "December 1, 2022" is revised to read "February 1, 2023."

3. That Section V.C. of the Redevelopment Agreement is hereby amended as follows: the reference to the date "January 1, 2023" is revised to read "March 1, 2023."

4. That all portions of the Redevelopment Agreement not amended hereby shall remain in full force and effect.

5. This First Amendment shall be executed concurrently in two (2) counterparts, each of which shall be deemed an original, but both of which shall constitute one and the same First Amendment.

6. The Parties agree to record this First Amendment with the DuPage County Recorder's Office, with the Developer paying the cost of the recording charges therefor.

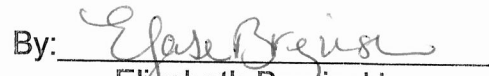
7. This First Amendment shall be deemed dated and become effective on the date on which this First Amendment is executed by the last of the signatories, as set forth below, with said effective date appearing on page 1 hereof.

**IN WITNESS WHEREOF**, the Parties have caused this First Amendment to be executed on or as of the date and year first above written.

**VILLAGE OF LOMBARD,**  
an Illinois home rule municipal corporation

**ATTEST:**

By:   
Keith Giagnorio  
Village President

By:   
Elizabeth Brezinski  
Village Clerk

Date: November 17, 2022

Date: November 17, 2022

**D.R. HORTON, INC. - MIDWEST**  
a California corporation,

By: \_\_\_\_\_  
Cole Tyrell  
Division President

Date: \_\_\_\_\_, 2022

## ACKNOWLEDGMENT

State of Illinois       )  
                                  ) SS  
County of DuPage    )

I, the undersigned, a Notary Public, in and for the County and State aforesaid, DO HEREBY CERTIFY that Keith Giagnorio and Elizabeth Brezinski, personally known to me to be the Village President and Village Clerk of the Village of Lombard, and personally known to me to be the same persons whose names are subscribed to the foregoing instrument, appeared before me this day in person and severally acknowledged that, as such President and Village Clerk, they signed and delivered the said instrument and caused the corporate seal of said municipal corporation to be affixed thereto, pursuant to authority given by the Village Council of said Illinois corporation, as their free and voluntary act, and as the free and voluntary act and deed of said Illinois corporation, for the uses and purposes therein set forth.

GIVEN under my hand and official seal, this 17th day of November, 2022.

Monika Reszka  
Notary Public



## ACKNOWLEDGMENT

State of Illinois       )  
                                  ) SS  
County of \_\_\_\_\_ )

I, the undersigned, a Notary Public, in and for the County and State aforesaid, DO HEREBY CERTIFY that Cole Tyrell, personally known to me to be the Division President of D.R. Horton, Inc. – Midwest, and personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that, as such Division President, he signed and delivered the said instrument as his free and voluntary act, and as the free and voluntary act and deed of D.R. Horton, Inc. – Midwest, for the uses and purposes therein set forth.

GIVEN under my hand and official seal, this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

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Notary Public

**Exhibit A**

**Legal Description  
of the Property**

LOT 4 IN YORKTOWN COMMONS PHASE 1, BEING A RESUBDIVISION OF PART OF SECTION 29, TOWNSHIP 39 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 1, 2016 AS DOCUMENT R2016-093310, IN DUPAGE COUNTY, ILLINOIS.

**P.I.N.:** 06-29-101-047

**Common Address:** 4 - 44 Yorktown Center, Lombard, Illinois 60148