

**2020-R09  
EXHIBIT “A”**

**AMENDMENT No. 1 TO A COMMUNITY REINVESTMENT AREA AGREEMENT**

This Amendment (“Amendment”) is made between the City of Green, FedEx Freight, Inc. and KW AKR, LLC.

WHEREAS, the City of Green previously entered into a Community Reinvestment Area Agreement (“Agreement”) with FedEx Freight, Inc and KW AKR, LLC. on or around December 13, 2017; and

WHEREAS, the parties desire to amend the exemption years, to reflect completion of construction.

1. The exemption for real property improvements shall begin with first year the property is taxable, which is estimated to be Tax Year 2020/Collection Year 2021 and extend 5 years.
2. Section 4 of the Agreement is hereby deleted in its entirety and replaced with the following:
4. The City grants KW AKR a tax exemption for real property improvements made to the Project Site pursuant to Section 3735.67 of the Ohio Revised Code and shall be in the following amounts:

| <b>Exemption Year</b> | <b>Tax Year</b> | <b>Collection Year</b> | <b>Percent</b> |
|-----------------------|-----------------|------------------------|----------------|
| 1                     | 2020            | 2021                   | 100%           |
| 2                     | 2021            | 2022                   | 100%           |
| 3                     | 2022            | 2023                   | 100%           |
| 4                     | 2023            | 2024                   | 100%           |
| 5                     | 2024            | 2025                   | 100%           |

The percentage of the assessed value of the real property improvements shall be exempted for Five (5) years at One Hundred percent (100%).

The exemption commences the first year the real property would first be taxable were that Property not exempted from taxation. Tax exemption shall commence when 100% the real property valuation from the Project is placed on Summit County tax rolls (estimated date of January 1, 2020) and no tax exemption shall extend beyond the tax year ending December 31, 2025 (“Exemption Period”). This Agreement shall be effective as of its date and will continue in full force and effect for the Exemption Period as set forth herein.

FedEx must annually file with the City the Ohio Development Services Agency’s Annual CRA Agreement Project Status Report.

3. The parties further agree that any and all other terms, conditions and obligations of the original Agreement dated December 13, 2017 and all subsequent Amendments shall continue to apply.

The parties have executed this Amendment effective this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

**CITY OF GREEN:**

**Approved as to form:**

\_\_\_\_\_  
By: Gerard M. Neugebauer, its Mayor

\_\_\_\_\_  
Lisa Carey Dean, Director of Law

Date: \_\_\_\_\_

Date: \_\_\_\_\_

**FedEx Freight, Inc:**

**KW AKR, LLC**, an Arizona limited liability company

\_\_\_\_\_  
By: \_\_\_\_\_

By: KMK FX, LLC, an Arizona limited liability company, Manager

Its: \_\_\_\_\_

By: FOUR PINE, LLC, an Arizona limited liability company, Member

Date: \_\_\_\_\_

By: \_\_\_\_\_  
Kevin M. Kiernan, Manager

Date: \_\_\_\_\_