

SECOND AMENDMENT TO AGREEMENT

This is the Second Amendment to that certain agreement by and between the CITY OF SALEM, an Oregon municipal corporation ("Purchaser") and the STATE OF OREGON ("Seller") dated December 20, 2016 ("Agreement").

RECITALS:

Whereas, pursuant to the Agreement, Seller desires to sell to Purchaser and Purchaser desires to Purchase from Seller, certain real property located in the 4100 block of Fisher Road NE, Salem, Marion County, Oregon, as described in the Agreement; and

Whereas, Section 12 of the Agreement provides that closing shall occur no later than December, 31 2017; and

Whereas, Seller and Purchaser desire to amend the Agreement to extend the closing date.

Now therefore, the Parties agree as follows:

A. Section 12 of the Agreement is hereby amended as described below:

Closing. The term "Closing" as used in this Agreement means the payment by the Purchaser to Seller of that portion of the Purchase Price due at Closing and the delivery by Seller to Purchaser of the warranty deed and title insurance policy. Unless otherwise agreed by the parties, or the Agreement is terminated pursuant to Sections 4, 5 and 6, Closing shall take place at the earliest possible date, but no later than ~~December 31, 2017~~ March 31, 2018.

IN WITNESS WHEREOF the Parties have executed this instrument in their respective names by their duly authorized representatives as of the date above written.

SELLER:

PURCHASER:

STATE OF OREGON

CITY OF SALEM

By:_____

By:_____

Title:_____

Title:_____

Date:_____

Date:_____