

## AMENDMENT THREE TO ECONOMIC DEVELOPMENT AGREEMENT

This **AMENDMENT THREE TO ECONOMIC DEVELOPMENT AGREEMENT** (this "Amendment") is made this \_\_\_ day of \_\_\_\_\_, 2022 (the "Effective Date"), between the **CITY OF JACKSONVILLE**, a municipal corporation and a political subdivision of the State of Florida (the "City") and **AA AUTO PARTS, INC.**, a Florida corporation (the "Company"). All capitalized terms not otherwise defined herein shall have the meaning as set forth in the EDA, as defined below.

### RECITALS:

**WHEREAS**, the City and Company have previously entered into that certain Economic Development Agreement dated November 22, 2019, as amended by that certain Amendment One dated June 30, 2021, as further amended by that certain Amendment Two dated December 20, 2021, City Contract number 10722 (collectively the "EDA"), as authorized by Ordinance 2019-652-E, to support certain infrastructure improvements at the Company's facility located at 6641 W. Beaver Street, Jacksonville, Florida, and providing certain incentives in connection with the Project, as further detailed in the EDA; and

**WHEREAS**, Amendment One to the EDA was a technical amendment that extended the Completion of Construction date for a period of six (6) months, from July 1, 2021 to December 31, 2021; and

**WHEREAS**, Amendment Two to the EDA was a technical amendment that extended the Completion of Construction date for a period of six (6) months, from December 31, 2021 to June 30, 2022; and

**WHEREAS**, the Company has encountered construction and supply chain delays and has requested a six-month extension to the completion of construction date, from June 30, 2022 to December 31, 2022; and

**NOW THEREFORE**, in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt of which is hereby acknowledge, City and Company hereby covenant and agree as follows:

1. Recitals. The above recitals are true and correct and are hereby incorporated herein by this reference.

2. Revisions to Paragraph 3.1: Paragraph 3.1 of the Agreement regarding the Performance Schedule is hereby deleted in its entirety and replaced with the following language:

#### **"3.1 Performance Schedule.**

The Company and the City have jointly established the following dates for the performance of each party's respective obligations under this Agreement (herein called the "Performance Schedule"):

Five (5) New Jobs to be created no later than eighteen (18) months from date of disbursement of the BIG Grant (as defined in Section 4.1 below).

Start of Construction – on or before January 1, 2020.

Completion of Construction – on or before December 31, 2022.

The City and the Company have approved this Performance Schedule. By the execution hereof, and subject to the terms of this Agreement, the Company hereby agrees to undertake and complete the construction and development of the Project in accordance with this Agreement and the Performance Schedule, and to comply with all of the Company’s obligations set forth herein.”

3. Counterparts: This Amendment may be executed in counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same agreement. A digital copy of this Amendment and any signatures to this Amendment may be delivered electronically via portable document format (“PDF”), “DocuSign” or other standard electronic transmission, and digital signatures so delivered shall constitute effective execution and delivery of such signature pages and shall be deemed to be the original signatures, and fully effective, for all purposes.

**SAVE AND EXCEPT** as expressly amended by this instrument, the provisions, terms and conditions in said EDA shall remain unchanged and shall continue in full force and effect.

**[Remainder of page left blank intentionally; signatures on following page.]**

**IN WITNESS WHEREOF**, this Amendment is executed the day and year above written.

ATTEST:

**CITY OF JACKSONVILLE**

\_\_\_\_\_  
James R. McCain, Jr.  
Corporation Secretary

By: \_\_\_\_\_  
Lenny Curry, Mayor

Form Approved:

\_\_\_\_\_  
Office of General Counsel

**AA AUTO PARTS**, a Florida corporation

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Its: \_\_\_\_\_

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