

AMENDMENT AGREEMENT

THIS AMEDMENT AGREEMENT, made and this ____ day of _____, 20____, by and between CSX TRANSPORTATION, a corporation of the state of Virginia, whose mailing address is 500 Water Street, Jacksonville, Florida 32202, hereinafter called "Lessor" and TOWN OF APEX, NORTH CAROLINA, whose mailing address is P.O. Box 250, Apex, North Carolina 27502 hereinafter called "Lessee" WITNESSETH:

WHEREAS, Lessor and Lessee entered into a Land Lease (the "Lease"), dated January 1, 2010 to lease 0.46 acres of land at Apex, Wake County, North Carolina for the purpose of paved parking and curbing and providing public parking and no other purpose.

WHEREAS, Lessee desires and Lessor agrees to supplement, modify and amend the Lease as provided hereinafter set forth.

NOW THEREFORE, in consideration of the mutual covenants and obligations herein contained, the parties agree this Amendment Agreement, effective the date first written above will serve to amend the Lease as follows:

1. Exhibit A dated 12/07/2016 as referenced in the Lease shall be deleted in its entirety and replaced with Exhibit A dated 1/12/2023, revised 2/21/2023, attached hereto and made a part hereof.
2. The Premises shall be increased to now include four (4) parcels of land described as follows:
Four (4) irregularly shaped parcels of land, containing a total of 1.45 acres, more or less, situation on each side of Lessor's tracks, beginning at Mile Post 17.23 and ending at Milepost 17.54, at or near Apex, Wake County, North Carolina.
3. The annual Base Rental shall increase from \$10,000 per year to \$20,000 per year.

Except as provided in this Amendment Agreement, all other terms and conditions of the Lease shall remain in effect.

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IN WITNESS WHEREOF, the parties hereto have caused these presents to be duly signed, sealed and delivered in duplicate.

Witness for Lessor:

CSX TRANSPORTATION, INC.

By: _____

Print/Type Name: _____

Print/Type Title: _____

Witness for Lessee :

TOWN OF APEX, NORTH CAROLINA

By: _____

Print/Type Name: _____

Print/Type Title: _____