

**A SECOND AMENDMENT TO A CERTAIN AGREEMENT
BETWEEN THE URBANA HOME CONSORTIUM
AND HOMESTEAD CORPORATION**

(Homestead Affordable Homeownership Program FY 2003-2004)

This Agreement is made this _____ day of **November, 2005**, between the CITY OF URBANA, an Illinois Municipal Corporation, acting as lead entity for the Urbana HOME Consortium (hereinafter the “**GRANTOR**”), and **Homestead Corporation**, an Illinois Not-For-Profit Organization (hereinafter “**DEVELOPER**”).

WITNESSETH:

WHEREAS, the City of Urbana, the City of Champaign, and Champaign County have been jointly designated as a Participating Jurisdiction by the U.S. Department of Housing and Urban Development (hereinafter “**HUD**”) for purposes of receiving HOME Investment Partnership (hereinafter “**HOME**”) Program funds in the name of the Urbana HOME Consortium under provisions of Title II of the Cranston-Gonzales National Affordable Housing Act of 1990, as amended (42 U.S.C. 12701 *et seq.*) (hereinafter the “**National Affordable Housing Act**”); and

WHEREAS, the Urbana HOME Consortium has received HOME Program funds from HUD for the period beginning July 1, 2002, and ending June 30, 2004, to increase affordable housing opportunities for low-income residents of Urbana, Champaign, and unincorporated Champaign County; and

WHEREAS, the GRANTOR, as the administrator of a HOME Program, has authority of the under the provisions of the HOME Program to amend the HOME Agreements; and

WHEREAS, on May 19, 2004, the GRANTOR and DEVELOPER entered into an agreement for the period of June 15, 2004 - June 15, 2006 (hereinafter referred to as the "Agreement"); and

WHEREAS, on May 17, 2004, the Urbana City Council passed Ordinance No. 2004-05-052 approving an Urbana HOME Consortium Community Housing Development Organization Developer Agreement (Homestead Affordable Homeownership Program, FY 2003-2004).

WHEREAS, on August 15, 2005, the Urbana City Council passed Ordinance No. 2005-08-122 approving an Amendment (hereinafter referred to as “**Amendment**”) to an Urbana HOME Consortium Community Housing Development Organization Developer Agreement (Homestead Affordable Homeownership Program, FY 2003-2004).

WHEREAS, the City and the DEVELOPER desire to amend said Agreement and Amendment to clarify certain conditions,

NOW, THEREFORE, for and in consideration of the premises and of the mutual covenants and agreements herein contained, the parties agree to add the following:

Attachment V
Environmental Conditions

A. Air and Water

The DEVELOPER agrees to comply with the following requirements insofar as they apply to the performance of this Agreement:

- Clean Air Act, 42 U.S.C. , 7401, et seq.;
- Federal Water Pollution Control Act, as amended, 33 U.S.C., 1251, et seq., as amended, 1318 relating to inspection, monitoring, entry, reports, and information, as well as other requirements specified in said Section 114 and Section 308, and all regulations and guidelines issued thereunder;
- Environmental Protection Agency (EPA) regulations pursuant to 40 CFR Part 50, as amended.

All other provisions of said Agreement and Amendment shall remain in full force and effect.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals, and have caused this instrument to be executed by their duly authorized officials and corporate seals affixed hereto, all on the day and year first above written.

CITY

SUBGRANTEE

By: _____

By: _____

Attest: _____

Attest: _____

SEAL

SEAL