

SECOND AMENDMENT TO PURCHASE AGREEMENT

This Second Amendment to Purchase Agreement (this “Amendment”) is made this ____ day of _____, 2024 (the “Effective Date”), by and between the City of Eveleth, a Minnesota municipal corporation (the “Buyer”) and Independent School District No. 2909, Rock Ridge Public Schools, a Minnesota body corporate and politic (the “Seller”).

RECITALS

WHEREAS, the Buyer and the Seller entered into that certain Purchase Agreement dated January 22, 2024 (the “Agreement”); and

WHEREAS, the Buyer and the Seller amended the Agreement by entering into that certain First Amendment to Purchase Agreement (the “First Amendment”) dated July 8, 2024; and

WHEREAS, the Buyer and the Seller have agreed to further amend and modify the terms and conditions of the Agreement as hereinafter set forth; and

NOW, THEREFORE, in consideration of the premises and mutual covenants in this Amendment and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

AMENDMENT

1. Paragraph 5 (H) of the Agreement is hereby deleted in its entirety and replaced with the following provision:

H. Removal of Buildings and Improvements. The Seller shall have demolished and removed all buildings and improvements from the Properties at the Seller’s expense, with the exception of those buildings and improvements which are shown in yellow on the attached Exhibit B which shall be preserved by the Seller (the “Preserved Improvements”). The Seller has until December 25, 2025 to demolish and remove the selected buildings and improvements from the Properties. The Seller and the Buyer shall enter into a lease agreement that will allow the Buyer to lease the Preserved Improvements from the Seller. Said commencement date of the lease will be selected by the Buyer but shall commence on or after October 22, 2024. A form of lease that must be executed is attached to this Agreement as Exhibit C.

2. Wherever there is a conflict between the provisions contained in the Agreement, the provisions in this Amendment shall control. Except as expressly amended, supplemented or modified by this Amendment, the Agreement shall continue in full force and effect. All capitalized terms contained in this Amendment, unless specifically defined herein, shall have the meaning ascribed to them in the Agreement. This Amendment shall bind and inure to the benefit of the parties hereto and their respective successors and assigns

3. This Amendment may be executed in any number of identical counterparts, any or all of which may contain the signatures of less than all of the parties, and all of which shall be construed together as a single instrument. For purposes of this Amendment, signatures by facsimile or .pdf shall be binding to the same extent as original signatures.

IN WITNESS WHEREOF, the parties have executed this Second Amendment as of the day and year written above.

CITY OF EVELETH

By: _____

Robert Vlasisavljevich

Its: Mayor

By: _____

Jackie Monahan-Junek

Its: City Administrator

**INDEPENDENT SCHOOL DISTRICT
NO. 2909, ROCK RIDGE PUBLIC
SCHOOLS**

By: _____

Its:

By: _____

Its:

DRAFT