

AMENDMENT NO. 2 TO AGREEMENT ABUNDANCE FARMS LLC

This Amendment No. 2 (“Amendment No. 2”) is effective as of October 12, 2022 (the “Amendment Effective Date”) and entered into by and between the **ULSTER COUNTY ECONOMIC DEVELOPMENT ALLIANCE, INC.**, a local development corporation formed under the laws of the State of New York, with offices at 244 Fair Street, Kingston, New York 12401 (the “UCEDA”), and **ABUNDANCE FARMS LLC**, a domestic limited liability company with principal offices at 502 North Marbletown Road, Kingston, New York 12401 (the “Contractor”) (each, a “Party;” together, the “Parties”).

RECITALS

WHEREAS, the Parties entered into an agreement for assistance through the Ulster County CARES Program beginning January 12, 2022 (the “Agreement”); as amended by that certain Amendment No. 1 effective July 12, 2022 (as amended, the “Agreement”); and

WHEREAS, the Contractor has requested a change to the allocation of funding in certain categories of the Agreement; and

WHEREAS, the Parties have agreed to amend the Agreement as further detailed below.

NOW, THEREFORE, in consideration of the mutual promises set forth herein, the Parties agree as follows:

AGREEMENT

1. Schedule B. Paragraph 3 of Schedule B of the Agreement is hereby deleted in its entirety and is amended and restated to read as follows:

The Contractor shall expend the funds it receives through the Ulster County CARES Program in accordance with the amounts and categories listed herein, as follows:

| | |
|--|-------------|
| a. Furniture / Fixture: | \$N/A |
| b. Equipment (excludes construction-related projects): | \$N/A |
| c. Personal Protective Equipment: | \$N/A |
| d. Inventory: | \$N/A |
| e. Operating Expenses: | \$5,850.00 |
| f. Payroll: | \$23,050.00 |
| g. Other (must be pre-approved by UCEDA): | \$N/A |

| | |
|--------------|--------------------|
| TOTAL | \$28,900.00 |
|--------------|--------------------|

2. Capitalized terms used but not defined herein shall have the meanings set forth in the Agreement
3. Except as expressly set forth herein, the terms and conditions of the Agreement shall continue in full force and effect.
4. In the event of a conflict between the Agreement and this Amendment No. 2, the terms and conditions of this Amendment No. 2 shall control.

[SIGNATURE PAGE FOLLOWS]

IN WITNESS WHEREOF, the Parties have caused their duly authorized representatives to enter into this Amendment No. 2, effective as of the Amendment Effective Date.

**ULSTER COUNTY ECONOMIC DEVELOPMENT
ALLIANCE, INC.**

By: _____
NAME: Sarah Haley
TITLE: Board Chair
DATE: _____

ABUNDANCE FARMS LLC

By: _____
NAME: Innocence Powell
TITLE: _____
DATE: _____