

FIRST AMENDMENT TO CREDIT ENHANCEMENT AGREEMENT

THIS FIRST AMENDMENT TO CREDIT ENHANCEMENT AGREEMENT (the "First Amendment") is made and entered into as of the ___ day of _____, 202_, by and between the BOROUGH OF POTTSTOWN, a municipal corporation of the Commonwealth of Pennsylvania (the "Borough") and POTTSTOWN BOROUGH AUTHORITY, a municipal authority organized under the Pennsylvania Municipality Authorities Act (the "Authority").

WHEREAS, on January 10, 2022, the Borough and the Authority entered into a Credit Enhancement Agreement (the "Agreement") for the purposes set forth in the Agreement; and

WHEREAS, the Borough and Authority desire to extend and amend the Agreement as set forth herein.

NOW THEREFORE, in consideration of the foregoing premises, the parties hereto, intending to be legally bound hereby agree as follows:

1. Section 2 of the Agreement is amended to read as follows:

Section 2. Credit Enhancement Fees. In consideration for the Borough's agreement in Section 1 hereof, and of the Authority's current financial position and desire to plan for future contingencies as set forth in the recitals above, the Authority hereby agrees to pay to the Borough a Credit Enhancement Fee for calendar year 2023 in the amount of \$125,000, payable in quarterly installments, commencing January 1, 2023. The renewal of a Credit Enhancement Fee after calendar year 2023 shall be subject to reconsideration by the Authority not later than November 1, 2023.

2. Section 5 of the Agreement is amended to read as follows:

Section 5. Termination of Agreement. This Agreement shall continue in full force and effect until December 31, 2023 or the earlier of (a) the cessation of any business by the Authority or (b) the termination of the Authority's corporate existence, subject to the provisions of Section 6 hereof.

3. Except as specifically amended by this First Amendment, the terms and conditions of the Agreement shall remain in full force and effect.

[Signatures appear on next page.]

IN WITNESS WHEREOF, each of the parties, intending to be legally bound hereby, has caused this First Amendment to be duly executed in its name and its corporate seal to be affixed hereto and attested by its duly authorized officers as of the date first above written.

BOROUGH OF POTTSTOWN

Attest:

(Assistant) Secretary

By: _____
(Vice) President

POTTSTOWN BOROUGH AUTHORITY

Attest:

(Assistant) Secretary

By: _____
(Vice) Chairman