

WHEN RECORDED RETURN TO:

Kirkland & Ellis LLP
300 North LaSalle
Chicago, IL 60654
Attention: Andrew Small

FIRST AMENDMENT TO MEMORANDUM OF LEASE

This FIRST AMENDMENT TO MEMORANDUM OF LEASE (the “First Amendment”) is made this __ day of _____, 2018, by and between THE CITY OF SAN MARCOS, a Texas municipal corporation, as Lessor, and JQH - SAN MARCOS DEVELOPMENT, LLC, a Missouri limited liability company, as Lessee.

RECITALS

1. Lessor and Lessee entered into that certain Conference Center Lease Agreement dated September 10, 2007, (the “Lease”) whereby Lessor agreed to lease to Lessee, and Lessee agreed to lease from Lessor, the Leased Premises (as defined in the Lease).
2. Lessor and Lessee executed a Memorandum of Lease dated September 26, 2007 which was recorded in the records of the Clerk’s Office of Hays County, Texas on October 4, 2007 in Volume 3263 Page 215, as Document No. 70029261 (the “Memorandum”).
3. Lessor and Lessee now desire to amend the Memorandum to confirm the legal description of the Leased Premises.

AGREEMENT

1. The Leased Premises consists of those parcels of property located in the City of San Marcos, Hays County, Texas, as more particularly described on Exhibit A attached hereto.
2. Exhibit A attached hereto is hereby appended to the Memorandum, and made a part thereof.
3. Except as provided in this First Amendment, the terms of the Memorandum shall remain in full force and effect.

[See next page for signatures.]

EXHIBIT A

Conference Center Parcel:

LOT 1, BLOCK A, FINAL PLAT OF EMBASSY SUITES AND CITY OF SAN MARCOS CONFERENCE CENTER SUBDIVISION, A SUBDIVISION IN HAYS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF FILED OF RECORD IN BOOK 14, PAGE(S) [103-104](#), OF THE PLAT RECORDS, HAYS COUNTY, TEXAS.