

AMENDMENT NO. 1 TO INCENTIVE AGREEMENT

This Amendment No. 1 to Incentive Agreement (the “Amendment”) is effective as of September 14, 2022 (the “Amendment Effective Date”) and is entered into by and between Growth Organization of Topeka/Shawnee County, Inc. (“GO Topeka”) and Heinen Brothers Agra Services (“Business”);

WHEREAS, Business is a corporation that is in good standing and qualified to do business under the laws of the state of Kansas; and

WHEREAS, GO Topeka and Business are parties to an Incentive Agreement effective December 8, 2021 (the “Agreement”) concerning the expansion of Business (as defined in the Agreement) in Topeka/Shawnee County; and

WHEREAS, such Agreement provides specific timeframes (“performance periods”) for Business to meet certain metrics to qualify for incentives (as defined in the Agreement); and

WHEREAS, the recent Covid-19 pandemic has had unforeseen and unfortunate circumstances affecting the planned growth associated with the Agreement; and

WHEREAS, GO Topeka desires to assist and promote Business’s growth by offering an extension of the performance period; and

WHEREAS, the parties wish to amend the Agreement to reflect the foregoing and to make related changes, as further set forth herein.

WITNESSETH:

NOW, THEREFORE, in consideration of the foregoing and of the mutual covenants and agreements expressed herein, the parties agree that the Agreement shall be amended as follows:

1. **Definitions**. Capitalized terms not otherwise defined herein shall have the meanings assigned to such terms in the Incentive Agreement.
2. **Amendments**. The performance period for each type of incentive shall be extended for 3 years as detailed below.

Incentive Type	Original Performance Period	Amended Performance Period
Local Employment	May 6, 2021 – June 30, 2026	May 6, 2021 – June 30, 2029
Employee Training	May 6, 2021 – December 31, 2026	May 6, 2021 – December 31, 2029

HEINEN BROTHERS AGRA SERVICES

2600 NE Sardou Ave. #26

Topeka, KS 66616

By: John J. Lueger

Printed Name: John J. Lueger

Title: GIS/Contract Specialist

GROWTH ORGANIZATION OF TOPEKA/SHAWNEE COUNTY, INC.

By: Molly Howey

Printed Name: Molly Howey

Title: President, GO Topeka