

DOCKETED

Docket Number:	23-OPT-02
Project Title:	Darden Clean Energy Project
TN #:	259219
Document Title:	Darden Community Benefits Agreement Amendment
Description:	Amendment to the Community Benefits Agreement contract previously submitted on August 13, 2024
Filer:	Becky Moores
Organization:	Intersect Power
Submitter Role:	Applicant
Submission Date:	9/19/2024 10:40:36 AM
Docketed Date:	9/19/2024

**Amendment Number 1 to the
Amended and Restated Donation Agreement**

This Amendment Number 1 to the Amended and Restated Donation of Goods Agreement (this "**Amendment**") is effective as of August 13, 2024 (the "**Effective Date**"), and amends that certain Amended and Restated Donation of Goods Agreement, dated as of August 13, 2024 (the "**Agreement**") by and between IP Darden I, LLC, a Delaware limited liability company ("**Donor**"), and Centro La Familia Advocacy Services, a California 501(c)(3) non-profit organization ("**Recipient**," and together with Donor, the "**Parties**," and each, a "**Party**").

WHEREAS, Section 9 of the Agreement sets forth that the Donor may terminate the Agreement by providing the Recipient with 5 days' advance Notice (as such term is defined in Section 10 of the Agreement);

WHEREAS, it was and remains the intent of the Parties to strike such provision from Section 9 the Agreement, such that the Donor shall not have the right to unilaterally terminate the Agreement.

NOW, THEREFORE, effective as of the Effective Date, it is agreed as follows:

1. Amendment to Section 9 of the Agreement. Section 9 of the Agreement shall be and hereby is amended in its entirety to read as follows:

Term and Termination. The terms of this Agreement shall remain in effect indefinitely unless terminated earlier by mutual agreement of the Parties.

2. Counterparts. This Amendment may be executed in counterparts, each of which shall be deemed an original, but all of which together shall be deemed to be one and the same agreement. A signed copy of this Amendment delivered by email shall be deemed to have the same legal effect as delivery of an original signed copy of this Amendment.

3. Effect of Amendment. The Agreement, as amended by this Amendment, is and shall continue to be in full force and effect and is in all respects ratified and confirmed hereby. After giving effect to this Amendment, unless the context otherwise requires, each reference in the Agreement to "this Agreement", "hereof", "hereunder", "herein" or words of like import referring to the Agreement shall refer to the Agreement as amended by this Amendment.

[SIGNATURE PAGE FOLLOWS]

IN WITNESS WHEREOF, the Parties hereto have executed this Amendment to be effective as of the Effective Date set forth above.

**CENTRO LA FAMILIA
ADVOCACY SERVICES**

By 

Name: Margarita Rocha

Title: Executive Director

IP DARDEN I, LLC

By 

Name: Simon Ross

Title: Chief Commercial Officer