

ADDENDUM to
Smart Energy Fund Agreement

Dated
October 28, 2010

Between
The Village of Orland Park, Illinois ("VILLAGE") and Timothy McCarthy (D.B.A. Paddy B's)
("OWNER/LESSEE")

WHEREAS, on October 28, 2010, a certain Agreement regarding the Smart Energy Fund Program between the VILLAGE and the OWNER/LESSEE was executed (hereinafter referred to as the "Agreement"); and,

WHEREAS, the OWNER/LESSEE wishes to modify the Agreement;

NOW, THEREFORE, for and in consideration of the foregoing and the mutual covenants herein contained, it is agreed by and between the parties hereto as follows:

1. In the event of any conflict or inconsistency between the provisions of this Addendum and the Agreement, the provisions of this Addendum shall control.
2. Section 1 of the Smart Energy Fund Agreement for Paddy B's of Orland Park, dated October 28, 2010, is amended to remove the following agreed upon equipment:

Refrigerator Manufacturer Turbo Air (Reach-In)

- 27 inch (L) x 30 inch (W) x 78 inch (H);
- Two section model (TSR-23SD);
- Cost: \$1,438.65;
- Energy Star Qualified

Solid Door Refrigerators

- 29 inch (L) x 28 inch (W) x 78 inch (H);
- Model Number M3R24-1
- Cost: \$2,900.00;
- California Energy Commission Certified

And replace with the following energy efficient systems:

Two (2) Solid Door Refrigerators

- 29 inch (L) x 28 inch (W) x 78 inch (H);
- Model Number M3R24-1;
- California Energy Commission Certified;

One (1) Turbo Air M3F24-1

- 28.7 inch (L) x 30.9 inch (W) x 82 inch (H);
- Model Number M3F24-1;

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("OWNER/LESSEE")

- California Energy Commission Certified;
 - Energy Star Qualified;
3. All of the other terms, covenants, representations and conditions of said Agreement not deleted or amended herein shall remain in full force and effect during the effective term of said Agreement.
4. This Addendum may be executed in two or more counterparts, each of which taken together, shall constitute one and the same instrument.

This Addendum, made and entered into effective the **29th day of June, 2011**, shall be attached to and form a part of the Agreement dated the 28th day of October, 2010 and shall take effect upon signature below by duly authorized agents of both parties.

AGREED AND ACCEPTED

FOR: THE VILLAGE

By: _____

Print Name: **Paul G. Grimes**
Village Manager

Its: Village Manager

Date: 8/9/11

FOR: THE OWNER/LESSEE

By: _____

Print Name: Timothy P. McCarthy

Its: PRESIDENT

Date: 8-1-11