

Record and return to:
Energy Improvement Corporation
2875 Route 35
Katonah, NY 10536
Attn: Alain Pierroz

**CONFIRMATION AND AMENDMENT OF
BENEFIT ASSESSMENT LIEN AND PAYMENT SCHEDULE**

_____ (the “*Capital Provider*”), located at [Capital Provider Address], and _____ (the “*Borrower*”), located at [Borrower Address], are parties to that certain Finance Agreement dated as of __20__, as may be amended (the “*Finance Agreement*”).

Pursuant to the Finance Agreement, the Borrower has renovated or retrofitted the property located at ___ New York (the “*Property*”), in accordance with the requirements of the Program for which Capital Provider has provided the financing through the Benefit Assessment Advance in the amount of \$___, which Benefit Assessment Advance has been converted into a Benefit Assessment against the Property; and

The Borrower is obligated to make benefit assessment payments required by that certain Certificate of Levy and Lien of Benefit Assessment (the “*Benefit Assessment Lien*”) dated _____, 20__ and filed by EIC, on behalf of [Municipality] (the “*Municipality*”) and recorded in the Land Records for the Municipality in Volume _ at Page _; which Benefit Assessment Lien was assigned by EIC, on behalf of the Municipality, to Capital Provider pursuant to that certain Assignment of Benefit Assessment Lien dated _____, 20__ and recorded in the Land Records for the Municipality in Volume _ at Page _____.

Pursuant to the Finance Agreement, the Benefit Assessment Lien shall be repaid in accordance with the installment payment plan attached hereto as Schedule 1 (the “*Payment Schedule*”). The Payment Schedule is based on the principal amount of the Benefit Assessment of \$___, including any capitalized interest or any additional fees and expenses pursuant to the Finance Agreement, with interest thereon at the rate set forth in the Finance Agreement and with installments of principal and interest coming due as set forth in the Payment Schedule.

Except as amended and modified hereby, the Finance Agreement and the Benefit Assessment Lien shall continue unmodified and in full force and effect and each is hereby ratified and confirmed.

The filing of this Confirmation and Amendment is done pursuant to the Local Law No. __ of 20__ of the Municipality, as such law may be amended from time to time, to Establish a Sustainable Energy Loan Program (OPEN C-PACE) and the Municipal Agreement, by and between the Energy Improvement Corporation (EIC) and the [Municipality]. Accordingly, EIC is a constituted authority acting as an agent of the [Municipality] and the recording of this Confirmation and Amendment shall be exempt from any charge, mortgage recording tax or other fee in the same manner as if recorded by the [Municipality].

Dated this ___ day of _____, 20__.

[CAPITAL PROVIDER]

By: _____
Name:
Title:

STATE OF NEW YORK)
) ss.
COUNTY OF _____)

On the ____ day of _____, in the year 20__, before me, the undersigned, a Notary Public in and for said State, personally appeared _____, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

Notary Public

Acknowledged and Agreed:

this ___ day of _____, 20__

Property Owner

STATE OF NEW YORK)
) ss.
COUNTY OF _____)

On the ___ day of _____, in the year 20__, before me, the undersigned, a Notary Public in and for said State, personally appeared _____, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

Notary Public

Schedule 1 to
Confirmation and Amendment of Benefit Assessment Lien
Payment Schedule