

FIRST AMENDMENT

TO

DEVELOPMENT AGREEMENT FOR THE UNLV SCHOOL OF MEDICINE

THIS FIRST AMENDMENT TO DEVELOPMENT AGREEMENT FOR THE UNLV SCHOOL OF MEDICINE (this “Amendment”) is made and entered into as of \_\_\_\_\_, 2024, between Nevada Health and Bioscience Asset Corporation, a Nevada non-profit corporation established as a supporting charitable organization for the benefit of UNLV School of Medicine (“NHBC”) and the Board of Regents of the Nevada System of Higher Education, for and on behalf of the University of Nevada, Las Vegas (“UNLV”)

RECITALS:

NBHC and UNLV are parties to that certain Development Agreement for the UNLV School of Medicine, dated as of January 30, 2020 (as amended, restated, supplemented, or otherwise modified from time to time, the “MEB Development Agreement”). Landlord and Tenant are also parties to that certain Medical School Building and Ground Lease, dated as of March 18, 2020 (the “MEB Lease”). In connection with NBHC’s proposal to build the Southern Nevada Public Health Lab on the MEB Parcel (as defined in the MEB Lease) and the parties’ agreements as set forth in that certain Development Agreement for the Southern Nevada Public Health Lab, executed as of even date herewith (the “Lab Development Agreement”), the parties desire to amend certain provisions of the MEB Development Agreement, as set forth herein. Except as specifically amended herein, all other provisions of the MEB Development Agreement remain unmodified and in full force and effect.

AGREEMENTS:

NOW, THEREFORE, for valuable consideration, whose receipt and sufficiency are acknowledged, UNLV and NHBC agree as follows:

1. Capitalized terms used herein but undefined herein shall have the meaning assigned to such term in the MEB Development Agreement.
2. UNLV and NHBC agree and confirm that the MEB was completed on or about May 18, 2023, as evidenced by the issuance of a certificate of occupancy from the City of Las Vegas, possession was delivered to UNLV on or about May 18, 2023, and the term of the MEB Lease commenced on or about May 18, 2023.
3. After completion of the subdivision process set forth in Article 1 of the Lab Development Agreement, as evidenced by recordation of a commercial subdivision map, recordation of the record of survey for each the parcel referenced in Article 1, together with a corresponding deed, Exhibit “A” to this MEB Development Agreement shall be deemed modified and replaced with the legal description for the MEB Parcel (each, as defined in the Lab Development Agreement). Upon completion of the subdivision process, UNLV’s reversionary rights in the Lab Parcel (which was created by the subdivision) are waived and the restriction contained in Section 1.01(K), specifically concerning encumbrance of the Lab Parcel without UNLV’s prior written consent, shall no longer be applicable.
4. This Amendment may be executed and delivered in counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument. A telecopy,

facsimile or other electronic signature (sign as pdf) of any party shall be considered to have the same binding effect as an original signature.

5. Amendment shall be governed in all respects by the laws of the State of Nevada. The provisions of Section 8.01 and Section 8.04 of the MEB Development Agreement are incorporated herein as if expressly set forth herein, *mutatis mutandis*.

IN WITNESS WHEREOF, the parties have executed this Amendment to be effective as of the day and year first written above.

NHBC:  
NEVADA HEALTH AND BIOSCIENCE ASSET  
CORPORATION, a Nevada non-profit corporation, a  
supporting charitable organization for the benefit of  
UNLV School of Medicine

By: \_\_\_\_\_  
Name:  
Title:

UNLV:  
BOARD OF REGENTS OF THE NEVADA SYSTEM  
OF HIGHER EDUCATION ON BEHALF OF THE  
UNIVERSITY OF NEVADA, LAS VEGAS

Recommended:

\_\_\_\_\_  
Keith Whitfield  
UNLV President

Approved:

\_\_\_\_\_  
Patricia Charlton  
Chancellor, NSHE

\_\_\_\_\_  
Date

Acknowledged and Approved:  
CLARK COUNTY BOARD OF COUNTY COMMISSIONERS  
a corporate and politic body and political subdivision  
of Clark Country, Nevada

By: \_\_\_\_\_  
Name:  
Title: