

**Mansfield
Community
Bank**

A Branch of Woodhaven National Bank

1700 E. Broad Street
Mansfield, TX 76063
T: 817-473-5979
F: 817-473-5978

July 12, 2016

Kim McCaslin
Backyard come At You Are, LP
100 N. Mitchell Rd
Mansfield, Texas 76063

Re: Assignment of Performance Agreements between the City of Mansfield, the Mansfield Economic Development Corporation, and the Mansfield Parks Department and Backyard Come As You Are, LP

Dear Ms. McCaslin,

Mansfield Community Bank requires an assignment of each Performance Agreement described above as a condition of our loan to Backyard Come As You Are, LP. The reason is an Assignment to the Bank allows us to exercise the Performance Agreements in the event something hinders your ability to complete the construction of the proposed project located at 109 S. Main St., Mansfield, Texas. By assigning these Performance Agreements, the bank, in effect, "steps into your shoes" and completes the project as presented and approved by the bank on May 11, 2016. The inclusion of these Performance Agreements as part of your loan approval is important to insure the completion of the project. Please contact me if you would like to discuss further the purpose of these Assignments.

Many thanks,



Chuck Wilson
Executive Vice President
Mansfield community Bank

CONSENT TO ASSIGNMENT

The City of Mansfield is a party to that certain Chapter 380 Economic Development and Performance Agreement between the City of Mansfield, Brain Storm Shelter, Backyard Come as You Are, LP and Tax Increment Reinvestment Zone Number Two of the City of Mansfield regarding the Back Yard Development for Public and Private Improvements to Property described therein (the "Property") within the Tax Increment Reinvestment Zone Number Two ("Agreement").

Paragraph 11.f. of the Agreement provides, in part, that Back Yard Come as You Are, LP may assign all or parts of its respective rights and obligations under the Agreement only upon prior written approval of the City of Mansfield.

The City of Mansfield is informed that Woodhaven National Bank, N.A. intends to loan money to Back Yard Come as You Are, LP for purchase of and construction of improvements on the Property. As a condition to such loan, Woodhaven National Bank, N.A. requires that Back Yard Come as You Are, LP collaterally assign its rights and obligations under the Agreement to Woodhaven National Bank, N.A.

The City of Mansfield hereby gives its prior written consent, in accordance with Paragraph 11.f. of the Agreement, to Back Yard Come as You Are, LP making a collateral assignment of its rights and obligations under the Agreement to Woodhaven National Bank, N.A. in connection with one or more loans to Back Yard Come as you Go, LP secured by the Property, including any renewal, extension or modification of such loan or loans.

Signed this the _____ day of _____, 2016.

The City of Mansfield

By:

Clayton Chandler, City Manager, _____