

**CONTRACT CONTINGENCY LANGUAGE**

It is acknowledged by Landlord and Lessee that Lessee will be applying for or has already applied for financial assistance for its [lease]/ [and] /[construction] at the Facility through the City of Austin's Business Expansion Program (the "City"). The City will provide the Lessee with financial assistance if and as approved by the City Council or City Manager. Accordingly, Landlord and Lessee hereby agree that this Contract, including but not limited to the Lessee's obligation to lease the Facility, is contingent upon City approval of financial assistance to the Lessee through the Business Expansion Program, in an amount and upon terms and conditions acceptable to Lessee, on or before \_\_\_\_\_, 2019. In the event the City does not approve the Lessee's application on or before \_\_\_\_\_, 2019, this Contract shall be null and void and of no further force and effect, and the Landlord shall promptly remit to Lessee the deposit that Lessee provided in the amount of \$\_\_\_\_\_, together with any and all interest earned thereon.