



**UNITED STATES DEPARTMENT OF COMMERCE**  
**Economic Development Administration**  
Austin Regional Office  
903 San Jacinto, Suite 206  
Austin, TX 78701

Date: June 26, 2017

**COUNTY JUDGE  
RECEIVED**

JUL 18 2017

The Honorable Robert Hebert  
Fort Bend County Judge  
Fort Bend County  
401 Jackson Street  
Richmond, TX 77451

The Honorable Darryl Humphrey, Sr.  
City of Kendleton  
430 FM 2919  
Kendleton, Texas 77451

RE: EDA Investment No.: 08-01-04779

Dear Mr. Hebert and Mr. Humphry,

It is understood from your letter dated March 7, 2017, that you are agreeable to the termination for convenience of the investment referenced above.

No payment drawdowns of the grant were requested from EDA for the project's eligible obligations up to the date of notification of the projects termination, thus the amount of \$1,250,000.00 will be de-obligated and returned to the U.S. Treasury.

We sincerely regret that the award could not be executed as planned. Enclosed are three copies of an Offer to Terminate Financial Assistance Award Agreement for Convenience. Acceptance of the Offer must conform to such local laws as govern the entering into and execution of contracts. Any procedural requirements respecting such agreements under local law must be observed.

Your acceptance of the Offer to Terminate Financial Assistance Award Agreement for Convenience should be indicated by the signatures of the principal officials of the signed copies of the Agreement. One signed acceptance copy should be returned to our office and the others are for your records. Please contact Lisa Larsen at 512-381-8156, or [LLarsen@eda.gov](mailto:LLarsen@eda.gov) if you have any questions.

Sincerely,

  
Jorge D. Ayala  
Regional Director



**UNITED STATES DEPARTMENT OF COMMERCE**  
**Economic Development Administration**  
903 San Jacinto, Suite 206  
Austin, Texas 78701

**OFFER TO TERMINATE**  
**FINANCIAL ASSISTANCE AWARD AGREEMENT FOR CONVENIENCE**

EDA Investment No.: 08-01-04779  
Fort Bend County, TX (Primary)  
City of Kendleton, TX (Secondary)

WHEREAS, the United States of America, Department of Commerce, Economic Development Administration (herein the "Government") pursuant to its authority under the Public Works and Economic Development Act of 1965 (P. L. 89-136), as amended, entered into a Financial Assistance Award Agreement (herein the "Agreement"), with Fort Bend County and City of Kendleton, TX on September 5, 2012.

WHEREAS, said Agreement provided an Award not to exceed the lower of \$1,250,000 or 44.2 percent of the actual cost of the project estimated to cost \$2,827,000 and consisting of roadway improvements and water/sewer line infrastructure;

WHEREAS, the parties have now determined that it not feasible to complete the project as originally intended and that an accounting should be made and the Agreement terminated for convenience of the parties; and

WHEREAS, the parties further agree that no eligible costs have been incurred or will be incurred pursuant to said Agreement;

NOW THEREFORE, for and in consideration of the premises and for the mutual benefit and convenience of the parties, the Government hereby tenders this Offer to Terminate on July 21, 2017.

Acceptance of this Offer to Terminate must be made by the recipient(s) and returned to the Government on or before August 4, 2017.



**UNITED STATES DEPARTMENT OF COMMERCE**  
**Economic Development Administration**  
903 San Jacinto, Suite 206  
Austin, Texas 78701

**DEPARTMENT OF COMMERCE**  
**ECONOMIC DEVELOPMENT ADMINISTRATION**

EDA Investment No.: 08-01-04779

By:

  
\_\_\_\_\_  
Jorge D. Ayala, Regional Director  
Austin Regional Office

  
\_\_\_\_\_  
(Date)

The above Offer to Terminate Award for Convenience is hereby accepted.

By:

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Title of Accepting Official)

\_\_\_\_\_  
(Printed Name)

\_\_\_\_\_  
(Date)

The above Offer to Terminate Award for Convenience is hereby accepted.  
*(This section is required only in cases of co-Applicants.)*

By:

\_\_\_\_\_  
(Signature of Co-Applicant)

\_\_\_\_\_  
(Title of Accepting Official)

\_\_\_\_\_  
(Printed Name)

\_\_\_\_\_  
(Date)

**CERTIFICATION (By Official other than Accepting Official)**

The person signing this Acceptance is so authorized by the Governing Body or Board of the Recipient.

By:

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Title of Certifying Official)

\_\_\_\_\_  
(Printed Name)

\_\_\_\_\_  
(Date)