

THE STATE OF TEXAS §
 §
 COUNTY OF FORT BEND §

AMENDMENT TO ROADWAY USE AND MAINTENANCE AGREEMENT

THIS AMENDMENT, is made and entered into by and between Fort Bend County, Texas (the "County"), a body politic acting herein by and through its Commissioners Court, and AP Solar 2, LLC., a Delaware limited liability company, (the "Project Company"). The County and the Project Company Owner may be individually referred to as a "Party" or collectively as the "Parties."

WHEREAS, the Parties executed and accepted that certain Roadway Use Agreement on April 27, 2021, (hereinafter "Agreement"); and

WHEREAS, the Parties desire to amend the Agreement to modify certain terms of the Agreement.

NOW, THEREFORE, the Parties do mutually agree to amend the Agreement as follows:

- I. Replace Paragraph 1. A. of the Agreement in its entirety with the following:
 - A. Pay a bond in the amount of \$3,000,000 to cover any costs of repairing the entire County Roads subject to this Agreement, if necessary; and
- II. Replace Paragraph 1. D. of the Agreement in its entirety with the following:
 - D. Place personnel and/or signage, subject to Texas Department of Transportation approval, at the following intersections to enforce delivery, access and egress routes according to Exhibit A, during scheduled delivery hours for the construction phase:
 - (I) FM 1994 and Brumbelow Road;
 - (II) FM 1994 and Wolfgang Road/Padon Road;
 - (III) Brumbelow Road and Beard Road;
 - (IV) Hughes Road and Kemp Road;
 - (V) Wolfgang Road and Beard Road;
 - (VI) Kocurek Road and FM 1462;
 - (VII) Hughes Road and FM 1994;
 - (VIII) Barak Road and Wolfgang Road;
 - (IX) Barak Road and Highway 36;
 - (X) Hughes Road and Beard Road;
 - (XI) Beard Road and SH 36;

- (XII) FM 1462 and SH 36;
- (XIII) FM 1994 and SH 36;
- (XIV) Brumbelow Road and FM 1462; and
- (XV) Padon Road at construction entrance of the Project Company's Facility;

Except as provided herein, all terms and conditions of the Agreement shall remain unchanged.

IN WITNESS WHEREOF, the parties hereto have signed or have caused their respective names to be signed to multiple counterparts to be effective on the date signed by the final party.

FORT BEND COUNTY

KP George, County Judge

Date

ATTEST:

Laura Richard, County Clerk

APPROVED:



J. Stacy Slawinski, P.E., County Engineer

PROJECT COMPANY:

AP Solar 2, LLC,
a Delaware limited liability company
8/30/2021

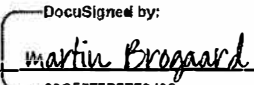
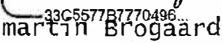
By:  _____
Name:  martin Brogaard _____
Title: _____ Managing Director _____

EXHIBIT A
Road Maintenance and Upkeep Corridors

- Wolfgang Road between FM 1994 and Beard Road – Graveled
- Kocurek Road between Beard Road and FM 1462 – Graveled
- Hughes Road between FM 1994 and Kemp Road – Chip Seal
- Hughes Road between Kemp Road and Beard Road – Graveled
- Brumbelow Road between FM 1994 and FM 1462
- Beard Road between SH 36 and Brumbelow Road
- Kemp Road between Hughes Road and Brumbelow Road
- Barak Road between SH 36 and Wolfgang Road
- Padon Road between FM 1994 to the construction entrance of the Project Company's Facility

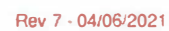


EXHIBIT B

Photo and Video Footage available upon request to the Fort Bend
County Engineering Department at 281-633-7500.