

STATE OF TEXAS                   §  
                                             §  
COUNTY OF FORT BEND       §

**FIRST AMENDMENT TO TAX ABATEMENT AGREEMENT BETWEEN  
FORT BEND COUNTY AND TDC-DRI SUGAR LAND, LLC  
(TO ASSIGN TO EVOX TX SUGAR LAND 12510, LLC)**

This First Amendment of the Tax Abatement Agreement is made and entered into by and between **FORT BEND COUNTY, TEXAS**, (hereinafter referred to as "County") a body politic, acting herein by and through its Commissioners Court and **TDC-DRI SUGAR LAND, LLC**, (may also hereinafter be referred to as "Former Owner/Assignor"), and **EVOX TX SUGAR LAND 12510, LLC** (may also hereinafter be referred to as "Assignee/New Owner.").

**WHEREAS**, County and **Former Owner/Assignor, TDI-DRI SUGAR LAND, LLC** entered into a Tax Abatement Agreement on or about January 20, 2020, (hereinafter the "Agreement"); and

**WHEREAS**, **Former Owner/Assignor** desires to transfer its interest as the former Owner of the real property and improvements subject to the Agreement and assign all of its rights, interest and obligations as **Former Owner/Assignor** of the real property under the Agreement to the **New Owner/Assignee**; and

**WHEREAS**, the parties desire to amend the Agreement to reflect such Assignment of the Agreement.

**NOW THEREFORE**, for and in consideration of the mutual benefits to be derived by the parties hereto, County, **Former Owner/Assignor** and **New Owner/Assignee** agree as follows:

Pursuant to and in accordance with the Property Redevelopment and Tax Abatement Act, Chapter 312, TEXAS PROPERTY TAX CODE, and the Guidelines and Criteria for Granting Tax Abatements in Reinvestment Zones located in Fort Bend County, Texas, the Agreement is hereby amended as follows:

1. Any references in the Agreement to "Owner" shall mean and refer to **EVOX TX SUGAR LAND 12510, LLC**, as the owner of the real property and improvements subject to the Agreement located in Reinvestment Zone No. 17 created by the City of Missouri City, Texas.
2. The Agreement is amended to the effect that all duties, obligations, and responsibilities imposed upon Owner under the Agreement shall be imposed upon **EVOX TX SUGAR LAND 12510, LLC**, and all agreements and representations made by Owner in the Agreement shall be the agreements and representations of **EVOX TX SUGAR LAND 12510, LLC**.
3. The representatives of **Former/Owner/Assignor** and **New Owner/Assignee** whose signatures execute this First Amendment represent and warrant to Fort Bend

County that they have the requisite authority to enter into the Agreement and First Amendment thereof.

4. The addresses set out in Section 16 of the Agreement for notices are hereby deleted in its entirety and the following addresses are substituted therefore:

**To the Tax Assessor/Collector:**

Fort Bend County Tax Assessor-Collector  
1317 Eugene Heimann Circle  
Richmond, Texas 77406

**To New Owner/Assignee:**

EVOX TX Sugar Land 12510, LLC  
Paul Andrews, EVP, COO, CFO  
EverWest Advisors LLC –Controlling Affiliate  
1099 18<sup>th</sup> Street Suite 2900  
Denver, CO 80202

**To County:**

Fort Bend County Judge  
301 Jackson, Suite 719  
Richmond, Texas 77469

**Copy to:**

Fort Bend County Attorney  
301 Jackson, Suite 728  
Richmond, Texas 77469

5. **EVOX TX SUGAR LAND 12510, LLC, SHALL BE RESPONSIBLE FOR NOTIFYING THE COUNTY OF THE ABATEMENT, INCLUDING FILING WITH THE COUNTY ANY APPLICATION OR OTHER FORMS NECESSARY TO QUALIFY FOR OR RECEIVE THE ABATEMENT GRANTED.**
6. Except as modified herein, the above referenced Agreement remains in full force and effect and has not been modified or amended.
7. The Tax Abatement shall apply for the tax years as stated in the Agreement. This Amendment does not purport to extend the tax abatement to tax years beyond tax year 2024, as stated in the original agreement.
8. All future Amendments, if any, of the Agreement shall require written consent of the County and shall be had in accordance with the Guidelines and Criteria for Granting Tax Abatements in Reinvestment Zones located in Fort Bend County, Texas adopted at the time the Amendment is requested.
9. The original Tax Abatement Agreement executed by and between Fort Bend County and **TDI-DRI SUGAR LAND, LLC**, is hereby adopted by **EVOX TX SUGAR LAND 12510, LLC**, and incorporated by reference the same as if fully set forth verbatim herein for all purposes, subject only to the above described amendments.

**IN TESTIMONY OF WHICH, THIS AMENDMENT shall be effective upon**

execution of all parties.

"County"  
**FORT BEND COUNTY**

By: \_\_\_\_\_  
KP George, County Judge

Date: \_\_\_\_\_

**ATTEST:**

\_\_\_\_\_  
Laura Richard, County Clerk

"Former Owner/Assignor"  
**TDC-DRI SUGAR LAND, LLC**  
**SOUTHWEST CC PARTNERS CP, LLC**

By: B. Jeff Knowles  
Name: B. Jeff Knowles  
Title: Authorized Signatory  
Date: Feb 17, 2022

Date: \_\_\_\_\_

"New Owner/Assignee"

**EVOX TX**  
**SUGAR LAND 12510, LLC** a Delaware limited liability company  
**EVERWEST ADVISORS LLC** a Delaware limited liability company  
**(CONTROLLING AFFILIATE)** Its: Non-Member Manager

By: Paul Andrews  
Name: Paul Andrews  
Title: Executive Vice President, COO, CFO  
Date: February 16, 2022

Date: 2/16/2022

**ATTEST:**

Janet Craines

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