

THE STATE OF TEXAS §
 §
COUNTY OF FORT BEND §

**AMENDMENT TO DEVELOPMENT AGREEMENT
(Madden Road to Harlem Road Connection)**

THIS AMENDMENT TO DEVELOPMENT AGREEMENT (the “Amendment”) is entered into by and between Fort Bend County, Texas (the “County”), a body politic acting herein by and through its Commissioners’ Court and 10 Harlem AC, LLC, a limited liability company owning land in Fort Bend County (the “Owner”). The County and the Owner may be individually referred to as a “Party” or collectively as the “Parties”.

WHEREAS, the Parties executed and accepted that certain Development Agreement on March 1, 2022, (hereinafter the “Agreement”); and

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

NOW, THEREFORE, the Parties do mutually agree to replace 2. (d) of the Agreement in its entirety with the following:

- (d) Pay Owner actual costs to complete the Owner Improvements based on invoices showing the amounts due for work performed in a form acceptable to the County, including necessary internal improvements such as adjusting drainage, extending electricity, installing new gate equipment, and sodding/seeding as needed for areas disturbed by construction, payable as follows:
 - (I) Upon execution of the Agreement and receipt of conveyance document reflecting the dedication of land in accordance with Section 1 (a), the County shall pay Owner \$253,000.00, being approximately ninety percent (90%) of the estimated cost of the Owner Improvements; and
 - (II) Within thirty (30) days after the County’s acceptance of the full accounting provided by the Owner in accordance with Section 1 (h), the County will pay the Owner any remaining amount due to equal the total actual costs of Owner Improvements.

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

IN WITNESS WHEREOF, the parties have executed this Agreement and caused this Agreement to be effective on the date executed by County.

FORT BEND COUNTY:

KP George, County Judge

Date

Attest:

Laura Richard, County Clerk

Approved:



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

OWNER:
10 HARLEM AC, LLC



Authorized Agent - Signature

Joe Bono, Jr.

Authorized Agent - Name

Member

Title

8-12-2022

Date