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FIRST AMENDMENT TO
TAX ABATEMENT AGREEMENT BETWEEN FORT BEND COUNTY AND
CUTLASS SOLAR II LLC
FORT BEND COUNTY REINVESTMENT ZONE 23

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 CUTLASS SOLAR II LLC (hereinafter referred to as “Owner”).

RECITALS

WHEREAS, on or about September 28 2021, the Parties entered into the TAX ABATEMENT AGREEMENT BETWEEN FORT BEND COUNTY AND CUTLASS SOLAR II LLC, FORT BEND COUNTY REINVESTMENT ZONE 23 (hereinafter the “Agreement”) which is incorporated by reference;

WHEREAS, the Agreement was executed as authorized by and in accordance with the Property Redevelopment and Tax Abatement Act, Chapter 312, TEXAS PROPERTY TAX CODE, and the current Guidelines and Criteria for Granting Tax Abatements in Reinvestment Zones located in Fort Bend County, Texas; (hereinafter the “Guidelines and Criteria”) and

WHEREAS, the Parties now desire to amend certain portions of the Agreement as allowed by Texas Tax Code Section 312.208 and Section VII of the Guidelines and Criteria including but not limited to deferring the first year of the abatement period as indicated herein and allowed by Texas Tax Code Section 312.007;

WHEREAS Notice for this Amended Agreement was provided as required by Texas Tax Code Sec. 312.207.

NOW THEREFORE, for and in consideration of the mutual benefits to be derived by the parties hereto, County, and Owner agree as follows:

A. Amendments as to Dates:

Agreement Reference	Original Agreement	Now Amended
Page 3. IV. A. Term and Termination (two references)	Dec 31, 2032	Dec 31, 2034
Page 4. V. Value of Abatement (ten references on the chart under the 'Tax Year' Column)	2023-2032	Tax Year Year 1 (2025) Year 2 (2026) Year 3 (2027) Year 4 (2028) Year 5 (2029) Year 6 (2030) Year 7 (2031) Year 8 (2032) Year 9 (2033) Year 10 (2034)
Page 5. VI. A, Responsibilities: Performance Measures; (on the chart under the 'Criteria' Column): Date by which Eligible Property will be delivered or constructed	Dec 31, 2023	Dec 31, 2024
Page 5. VI. Responsibilities: Performance Measure; (on the chart under the 'Required Deliverable' Column): Minimum total project costs with respect to the Eligible Property by	Dec 31, 2023	Dec 31, 2024

B. Additional Amendments

The County's Director of Economic Opportunity & Development is added to Section IX. Notice (as seen below):

The County's Director of Economic Opportunity & Development shall be included on all correspondence to and/or from County employees and officials relative to this project.

Fort Bend Economic Opportunity & Development
Attn: Director (Carlos Guzman)
401 Jackson Street
Richmond, Texas 77469
carlos.guzman@fortbendcountytexas.gov

- C. Any further amendments to this Agreement shall be in accordance with the most recently adopted Guidelines and Criteria for Granting Tax Abatements in Fort Bend County. This requirement applies even if this Amendment was executed under a prior set of Guidelines and Criteria.
- D. Except as modified herein, any prior executed document remain in full force and effect and has not been modified or amended. In the event of conflict, the contents of this First Amendment shall prevail.
- E. Execution

IN TESTIMONY OF WHICH, THIS AMENDMENT shall be effective upon execution of all parties.

"County"
FORT BEND COUNTY


By: _____
County Judge

ATTEST:

Date: _____

County Clerk

"Owner"

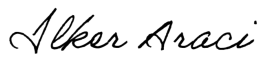
By:  _____

Name: Ismail Bilgin

Title: President

Date: November 8th, 2022

ATTEST:



Name Ilker Araci

Date: November 8th, 2022

FIRST AMENDMENT TO TAX ABATEMENT AGREEMENT BETWEEN FORT BEND COUNTY AND
CUTLASS SOLAR II LLC FORT BEND COUNTY REINVESTMENT ZONE 23

Reviewed:

By: _____
Carlos Guzman
Fort Bend Economic Opportunity & Development Director

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