

**THIRD EXTENSION
TO
FIFTH STREET WATER AND SEWER SERVICE AGREEMENT**

This Third Extension to Fifth Street Water and Sewer Service Agreement (the "Third Extension") is executed as of this 10 day of January, ~~2011~~, 2012 by and between Fort Bend County Water Control and Improvement District No. 2, a body politic and corporate and a political subdivision of the State of Texas organized pursuant to Article 16, Section 59, of the Texas Constitution (the "District"), and Fort Bend County, a body corporate and politic (the "County") (collectively, the "Parties").

RECITALS

The Parties entered into the Fifth Street Water and Sewer Service Agreement (the "Agreement") dated December 23, 1996, which stated that the Agreement automatically terminated 5 years from the date of its execution.

The Parties subsequently entered the First Extension to Fifth Street Water and Sewer Service Agreement (the "First Extension"), dated January 16, 2001, which stated that the Agreement was extended for an additional 5 years, until January 1, 2007, and the Second Extension to Fifth Street Water and Sewer Service Agreement (the "Second Extension"), dated February 27, 2007, which stated that the Agreement was extended for an additional 5 years, until January 1, 2012.

The Parties now desire to extend the Agreement for a 10 year term, until 2022.

AGREEMENT

For and in consideration of the mutual promises, obligations and benefits of extending the Agreement, the Parties contract and agree as follows:

The Agreement shall be extended until January 1, 2022, and all other terms and conditions of the Agreement remain in full force and effect.

IN WITNESS WHEREOF, the Parties have executed this Third Extension in multiple counterparts, each of equal dignity and effect, as of the date and year first above written.

[EXECUTION PAGES FOLLOW]

FORT BEND COUNTY WATER
CONTROL AND IMPROVEMENT
DISTRICT NO. 2

By: *James K. Williams*
Name: James K. Williams
Title: President

ATTEST:

By: *Martin Saldana*
Name: Martin Saldana
Title: Secretary

(SEAL)



ATTEST:

By: *Dianna Wilson*
Name: Dianna Wilson
Title: County Clerk

(SEAL)

FORT BEND COUNTY

By: *Robert E. Hebert*
Name: Robert E. Hebert
Title: County Judge

1-10-2012

