

STATE OF TEXAS §
 § KNOW ALL MEN BY THESE PRESENTS:
 COUNTY OF FORT BEND §

**FIRST AMENDMENT TO GROUND LEASE AGREEMENT
 BETWEEN FORT BEND COUNTY AND
 FORT BEND COUNTY EMERGENCY SERVICES DISTRICT NO. 5**

This First Amendment to the Ground Lease Agreement ("Amendment") is made and entered into by Fort Bend County, Texas, a body corporate and politic, acting herein by and through its Commissioners' Court, ("LANDLORD"), and Fort Bend County Emergency Services District No. 5, ("TENANT") (collectively, the "PARTIES").

WHEREAS, the Landlord and the Tenant entered into a Ground Lease Agreement ("Ground Lease") on September 27, 2011, with an effective date of October 1, 2011 ("Effective Date") for the lease of certain real property; and

WHEREAS, the Parties now desire to amend the Ground Lease to provide correct survey coordinates and extend the period of time to substantially complete construction of a Fire Station on the leased Premises;

NOW, THEREFORE, for an in consideration of the mutual covenants, agreements and benefits to both parties, the Lease is amended as follows:

Section I. "Premises" of the Ground Lease is hereby deleted and replaced with the following:

LAND LOCATED ON FM 1464 in Fort Bend County, Texas described as a 2.289 acre (99.701 sq. ft.) tract of land situated in the J.H. Cartwright Survey, A-16, Fort Bend County, Texas, particularly identified and described more specifically in Exhibit A, attached hereto and incorporated herein for all purposes.

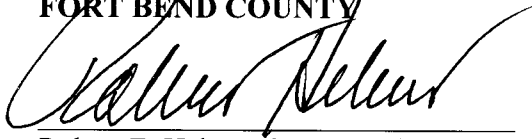
Section II. "Clauses and Covenants", subsection 4 of the Lease is hereby deleted and replaced with the following:

4. Tenant shall be allowed to construct, operate and maintain a Fire Station on the Premises and shall not be allowed to use the Premises for any other purpose other than a Fire Station and emergency services related purposes. If Tenant has not substantially completed construction of a Fire Station on the Premises within four (4) years of the Effective Date of the Lease (the "Default Date"), this Ground Lease shall terminate automatically on said Default Date, without any further action required by the Parties. At any time during the term, should Tenant cease operating a Fire Station on the Premises, this Ground Lease shall terminate upon cessation of operations, without any further action required by the Parties.

SIGNED on the dates shown by signatures below.

LANDLORD:

FORT BEND COUNTY



Robert E. Hebert, County Judge

Date: 1-7-2014

TENANT:

FORT BEND COUNTY ESD NO. 5

Ernest E Carter Jr

Digitally signed by Ernest E
Carter Jr
DN: cn=Ernest E Carter Jr
Date: 2014.01.06 15:42:12 -06'00'

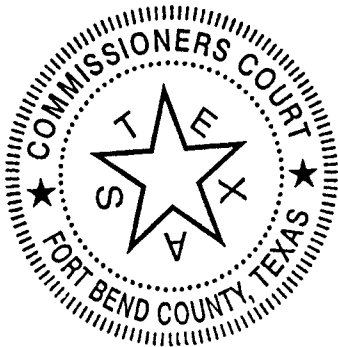
Ernie Carter, President

Date: _____

Attest:



Dianne Wilson, County Clerk



AS PER ORIGINAL

EXHIBIT A

**DESCRIPTION OF A 2,289-ACRE (99,701 SQ. FT.)
TRACT OF LAND SITUATED IN THE J.H. CARTWRIGHT
SURVEY, A-16, FORT BEND COUNTY, TEXAS**

Being a 2,289-acre (99,701 sq. ft.) tract of land situated in the J.H. Cartwright Survey, A-16, Fort Bend County, Texas. Said 2,289-acre tract of land being out of a called 46,187-acre tract of land conveyed to the State of Texas, by deed recorded under File No. 2010046441 of the Fort Bend County Official Public Records. Said 2,289-acre tract being further described by metes and bounds as follows with the basis of bearings being the Texas State Plane Coordinate System, South Central Zone No. 4204 (NAD 83) (1993 Adj.).

COMMENCING at a point in the west right-of-way line of Clodine Road (Old F.M. 1464) (80-Foot Wide Right-of-Way), as recorded in Volume 275, Page 295 of the Fort Bend County Deed Records for the southeast corner of the plat of Ahana Section 25, as recorded under File No. 20130112 of the Fort Bend County Official Public Records and for the northeast corner of said 46,187-acre tract;

THENCE South 02 deg. 33 min. 11 sec. East, with the west right-of-way line of said Clodine Road and the east line of said 46,187-acre tract, a distance of 100.02 feet to a 5/8-inch iron rod with cap stamped "WEISSER ENG HOUSTON, TX" set for the **POINT OF BEGINNING** of said tract herein described;

THENCE South 02 deg. 33 min. 11 sec. East, with the west right-of-way line of said Clodine Road, with the east line of said 46,187-acre tract and with the east line of said tract herein described, a distance of 356.02 feet to a 5/8-inch iron rod with cap stamped "WEISSER ENG HOUSTON, TX" set for the southeast corner of said tract herein described;

THENCE South 87 deg. 27 min. 12 sec. West, over and across said 46,187-acre tract and with the south line of said tract herein described, a distance of 226.53 feet to a 5/8-inch iron rod with cap stamped "WEISSER ENG HOUSTON, TX" in the northeast right-of-way line of F.M. Road 1464 (200-Foot Wide Right-of-Way), as recorded under File No. 2010046441 of the Fort Bend County Official Public Records set for the southwest corner of said tract herein described;

THENCE with the northeast right-of-way line of said F.M. Road 1464, with the southwest line of said tract herein described and following the arc of a non-tangent curve to the left, said curve to the left having a radius of 5,100.00 feet, a central angle of 03 deg. 47 min. 21 sec., an arc length of 337.27 feet, a central angle of North 22 deg. 43 min. 16 sec. West and a chord distance of 337.21 feet to a 5/8-inch iron rod with cap stamped "WEISSER ENG HOUSTON, TX" set marking the end of said curve to the left and for the northwest corner of said tract herein described;

THENCE over and across said 46,187-acre tract, with a north line of said tract herein described and following the arc of a non-tangent curve to the right, said curve to the right having a radius of 950.02 feet, a central angle of 18 deg. 05 min. 27 sec., an arc length of 299.96 feet, a chord bearing of North 79 deg. 39 min. 23 sec. East and a chord distance of 298.72 feet to a 5/8-inch iron rod with cap stamped "WEISSER ENG HOUSTON, TX" set marking the end of said curve to the right;

AS PER ORIGINAL

THENCE North 88 deg. 42 min. 09 sec. East, over and across said 46.187-acre tract and with a north line of said tract herein described, a distance of 46.84 feet to the **POINT OF BEGINNING** and containing 2.289 acres (99,701 sq. ft.) of land.

This description is accompanied by a plat of even survey date

Compiled by:

WEISSER ENGINEERING COMPANY

19500 Park Row, Suite 100

Houston, Texas 77084

TBPLS Reg. No. 100518-00

TBPE Reg. No. : F-68

Job No. GC407

Date: 12/07/2013

