

THE STATE OF TEXAS           §  
   §  
 COUNTY OF FORT BEND       §

**AMENDMENT TO DEVELOPMENT AGREEMENT**  
 (BELLAIRE FROM FM 1464 TO CHICKORY WOODS LANE)

**THIS AMENDMENT**, is made and entered into by and between Fort Bend County, Texas (the "County"), a body politic acting herein by and through its Commissioners Court, and NEC 1464 Bellaire, LLC, a Texas limited liability company and SEC 1464 Bellaire, LLC, a Texas limited liability company, (together, "Gordon"). The County and Gordon may be individually referred to as a "Party" or collectively as the "Parties."

WHEREAS, the Parties executed and accepted that certain Development Agreement on April 12, 2016, (hereinafter "Agreement"); and

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

**NOW, THEREFORE**, the Parties do mutually agree to amend the Agreement as follows:

I. Replace Paragraph 2 (b) of the Agreement in its entirety with the following:

(b) Reimburse the County for the actual Project costs for a total amount of \$151,342.00, as reflected in Attachment 1 attached hereto and incorporated herein for all purposes.

II. Replace Paragraph 2 (c) of the Agreement in its entirety with the following:

(c) Gordon shall make such reimbursement, in accordance with 2(b) above, plus interest calculated at two percent (2%) annual interest rate, compounded monthly on any amounts owed, which is the same effective rate paid by the County for the Project funds, upon the following schedule:

\$50,447.33 on or before January 1, 2022

\$50,447.33 on or before January 1, 2023

\$50,447.34 on or before January 1, 2024

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

IN WITNESS WHEREOF, the parties hereto have signed or have caused their respective names to be signed to multiple counterparts to be effective on the date signed by the final party.

FORT BEND COUNTY

*KP George*

County Judge KP George

KP George, County Judge

11-23-21

Date

ATTEST:

*Laura Richard*

Laura Richard, County Clerk



APPROVED:

*J. Stacy Slawinski*

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

NEC 1464 Bellaire, LLC,  
a Texas limited liability company

By: *[Signature]*

Name: *SCOTT GORDON*

Title: *President*

Date: *10-20-21*

SEC 1464 Bellaire, LLC,  
a Texas limited liability company

By: *[Signature]*

Name: *SCOTT GORDON*

Title: *President*

Date: *10-20-21*

# ATTACHMENT 1

<b>BELLAIRE BLVD EXTENSION</b> <b>FINAL COST FOR SECTION DESIGNED</b> <b>AND CONSTRUCTED BY FORT BEND COUNTY</b> 10/23/2018					
ITEM NO.	DESCRIPTION	ENGLISH UNIT	ESTIMATED QUANTITY	PRICE PER UNIT	AMOUNT
1	CONCRETE PAVEMENT	SY	1,637	\$43.25	\$70,810
2	LIME TREATMENT (EXISTING MATERIAL)	SY	1,857	\$2.57	\$4,770
3	LIME (6%)	TON	25	\$182.52	\$4,580
4	REMOVE CONCRETE/ASPHALT PAVEMENT	SY	24	\$11.70	\$280
5	CONCRETE CURB	LF	970	\$2.57	\$2,490
6	4' SIDEWALK	SY	200	\$52.65	\$10,530
7	WHEELCHAIR RAMP	EA	0	\$2,000.00	\$0
8	STORM PIPE 42" RCP	LF	0	\$150.00	\$0
9	STORM PIPE 24" RCP	LF	130	\$45.35	\$5,900
10	STORM INLETS	EA	3	\$1,872.00	\$5,620
11	EARTHWORK (12% of Total)	LS	1	\$12,179.62	\$12,180
12	TRAFFIC CONTROL (12% of Total)	LS	1	\$749.74	\$750
13	PAVEMENT MARKINGS (ALL SIZES) (12% of Total)	LS	1	\$1,112.48	\$1,110
CONSTRUCTION TOTAL					\$119,020
DESIGN, MANAGEMENT, CMT (20%)					\$23,804
NETCO PIPELINE RELOCATION (12% of Total)					\$8,518
<b>TOTAL COSTS</b>					<b>\$ 151,342</b>

# CERTIFICATE OF INTERESTED PARTIES

**FORM 1295**

1 of 1

Complete Nos. 1 - 4 and 6 if there are interested parties.  
Complete Nos. 1, 2, 3, 5, and 6 if there are no interested parties.

**OFFICE USE ONLY  
CERTIFICATION OF FILING****1 Name of business entity filing form, and the city, state and country of the business entity's place of business.**

NEC 1464 Bellaire LLC  
Houston, TX United States

**Certificate Number:**  
2021-815231

**Date Filed:**  
10/20/2021

**Date Acknowledged:**  
12/28/2021

**2 Name of governmental entity or state agency that is a party to the contract for which the form is being filed.**

Fort Bend County

**3 Provide the identification number used by the governmental entity or state agency to track or identify the contract, and provide a description of the services, goods, or other property to be provided under the contract.**

21-Eng-500053-A1  
Amendment

4	Name of Interested Party	City, State, Country (place of business)	Nature of interest (check applicable)	
			Controlling	Intermediary

**5 Check only if there is NO Interested Party.****6 UNSWORN DECLARATION**

My name is \_\_\_\_\_, and my date of birth is \_\_\_\_\_.

My address is \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_.  
(street) (city) (state) (zip code) (country)

I declare under penalty of perjury that the foregoing is true and correct.

Executed in \_\_\_\_\_ County, State of \_\_\_\_\_, on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.  
(month) (year)

\_\_\_\_\_  
Signature of authorized agent of contracting business entity  
(Declarant)