

STATE OF TEXAS §
 §
 COUNTY OF FORT BEND §

**FIRST AMENDMENT TO
 TAX ABATEMENT AGREEMENT BETWEEN FORT BEND COUNTY DRAINAGE DISTRICT 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 DRAINAGE DISTRICT (hereinafter referred to as "District"), acting herein by and through its BOARD 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 DRAINAGE DISTRICT 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 Drainage District (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, District 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 Drainage District. 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.

"District"

FORT BEND COUNTY DRAINAGE DISTRICT



ATTEST:

Janna Richard
County Clerk

By: *K.P. George*

County Judge

Date: December 13, 2022

"Owner"

By: *Ismail Bilgin*

Name: Ismail Bilgin

Title: President

Date: November 8th, 2022

ATTEST:

Ilker Araci
Name

Date: November 8th, 2022

Ilker Araci

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

Reviewed by:

By:



Carlos Guzman

Fort Bend Economic Opportunity & Development Director

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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.**

Cutlass Solar II LLC
Austin, TX United States

Certificate Number:
2022-953171

Date Filed:
11/08/2022

Date Acknowledged:
12/19/2022

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 Drainage District

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.

FBCDD TX ABTMNT 11082022
Create a tax revenue source from a renewable electric generating facility

4	Name of Interested Party	City, State, Country (place of business)	Nature of interest (check applicable)	
			Controlling	Intermediary
	SABANCI RENEWABLES INC.	Austin, TX United States	X	
	Jackson Walker LLP	Austin, TX United States		X

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)