

THE STATE OF TEXAS §
 §
 COUNTY OF FORT BEND §

**AMENDMENT TO DEVELOPMENT AGREEMENT
 (Madden Road to Harlem Road Connection)**

THIS AMENDMENT TO DEVELOPMENT AGREEMENT (the "Amendment") is entered into by and between Fort Bend County, Texas (the "County"), a body politic acting herein by and through its Commissioners' Court and 10 Harlem AC, LLC, a limited liability company owning land in Fort Bend County (the "Owner"). The County and the Owner may be individually referred to as a "Party" or collectively as the "Parties".

WHEREAS, the Parties executed and accepted that certain Development Agreement on March 1, 2022, (hereinafter the "Agreement"); and

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

NOW, THEREFORE, the Parties do mutually agree to replace 2. (d) of the Agreement in its entirety with the following:

- (d) Pay Owner actual costs to complete the Owner Improvements based on invoices showing the amounts due for work performed in a form acceptable to the County, including necessary internal improvements such as adjusting drainage, extending electricity, installing new gate equipment, and sodding/seeding as needed for areas disturbed by construction, payable as follows:
- (I) Upon execution of the Agreement and receipt of conveyance document reflecting the dedication of land in accordance with Section 1 (a), the County shall pay Owner \$253,000.00, being approximately ninety percent (90%) of the estimated cost of the Owner Improvements; and
 - (II) Within thirty (30) days after the County's acceptance of the full accounting provided by the Owner in accordance with Section 1 (h), the County will pay the Owner any remaining amount due to equal the total actual costs of Owner Improvements.

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

IN WITNESS WHEREOF, the parties have executed this Agreement and caused this Agreement to be effective on the date executed by County.

FORT BEND COUNTY:

KP George

County Judge KP George

KP George, County Judge

September 6, 2022

Date

Attest:



Laura Richard

Laura Richard, County Clerk

Approved:

J. Stacy Slawinski

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

OWNER:

10 HARLEM AC, LLC

Joe Bono Jr
Authorized Agent - Signature

Joe Bono, Jr.

Authorized Agent - Name

Member

Title

8-12-2022

Date

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.
10 Harlem AC, LLC
Richmond, TX United States

Certificate Number:
2022-922999

Date Filed:
08/16/2022

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

Date Acknowledged:
09/07/2022

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.
22-Eng-100266-A1
Harlem Road, 17402 – Amendment to Development Agreement

4	Name of Interested Party	City, State, Country (place of business)	Nature of interest (check applicable)	
			Controlling	Intermediary
	Bono, Bennie	Richmond, TX United States	X	
	Bono, Joseph	Richmond, TX United States	X	
	Langston, Sarah	Richmond, 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)