

**FIRST AMENDMENT TO THE
ECONOMIC DEVELOPMENT AGREEMENT
BETWEEN THE
ROUND ROCK TRANSPORTATION AND ECONOMIC DEVELOPMENT CORPORATION
AND
INVESTEX II, LLC**

This First Amendment to Economic Development Agreement ("Amendment") entered into this 20 day of August, 2021 (the "Effective Date") by and between the Round Rock Transportation and Economic Development Corporation ("TEDCO") and Investex II, LLC, a Texas limited liability company ("Investex II").

23rd day of September

RECITALS

WHEREAS, TEDCO and Investex II entered into that certain Economic Development Agreement ("Agreement") as of July 2, 2020; and

WHEREAS, Investex II, LLC has assigned the Agreement to Investex, LTD, which is an affiliate of Investex, II, LLC; and

WHEREAS, pursuant to Sec. 5.1 of the Agreement, such assignment does not require the consent of TEDCO; and

WHEREAS, the parties wish to amend Sec. 4.1 of the Agreement to extend the deadline for completion of the Facility; and

WHEREAS, except as amended herein, all of the terms and provisions of the Agreement shall remain in effect and shall apply to this Amendment;

NOW, THEREFORE, in consideration of the mutual benefits and promises and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

ARTICLE I

1.1 Section 4.1 of the Agreement is hereby amended to read as follows:

4.1. Construction. Investex intends to construct the Facility on or before December 31, 2022.

ARTICLE II

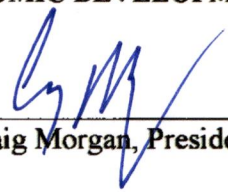
2.1 Investex hereby represents to TEDCO that it has assigned this Agreement to its affiliate, Investex, LTD. TEDCO hereby acknowledges that pursuant to Sec. 5.1 of the Agreement, its consent to the assignment is not required.

ARTICLE III

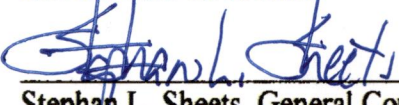
- 3.1 Interpretation. Each of the Parties has been represented by counsel of their choosing in the negotiation and preparation of this Amendment. Regardless of which party prepared the initial draft of this Amendment, this Amendment shall, in the event of any dispute, however its meaning or application, be interpreted fairly and reasonably and neither more strongly for or against any Party.
- 3.2 Applicable Law. This Amendment is made, and shall be construed and interpreted, under the laws of the State of Texas and venue shall lie in Williamson County, Texas.

Executed to be effective this 23rd day of September, 2021.

ROUND ROCK TRANSPORTATION AND ECONOMIC DEVELOPMENT CORPORATION

By: 
Craig Morgan, President

APPROVED as to form


Stephan L. Sheets, General Counsel

INVESTEX II, LLC (Assignor)

By: Michael A. Rana
_____, its managing member

INVESTEX, LTD (Assignee)

By: Michael A. Rana
_____, its managing member