

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

FIRST AMENDMENT TO SOLAR ENERGY LEASE AND EASEMENT AGREEMENT AND MEMORANDUM OF FIRST AMENDMENT TO SOLAR ENERGY LEASE AND EASEMENT AGREEMENT

THE STATE OF TEXAS §
 §
COUNTY OF WEBB §

THIS FIRST AMENDMENT TO SOLAR ENERGY LEASE AND EASEMENT AGREEMENT AND MEMORANDUM OF FIRST AMENDMENT TO SOLAR ENERGY LEASE AND EASEMENT AGREEMENT (this "Amendment") is made and executed to be effective as of _____, 2024 (the "Effective Date") by and between **Webb County, Texas**, a political subdivision of the State of Texas, acting through its Webb County Commissioners Court, together with its successors and assigns ("Owner") having a mailing address of 1000 Houston Street, Laredo, Texas, and **Gransolar Texas Two, LLC**, a Texas limited liability company ("Grantee") having a mailing address of c/o Alberto Macia, 5900 Balcones Drive, Suite 100, Austin, Texas, 78731. Owner and Grantee may be referred to collectively hereunder as the "Parties" and individually as a "Party".

PRELIMINARY STATEMENTS:

A. Owner and Grantee entered into that certain Solar Energy Lease and Easement Agreement, dated December 20, 2021 ("Original Lease"), as evidenced by that certain Memorandum of Solar Energy Lease and Easement Agreement, dated as of December 20, 2021, recorded on January 18, 2022, as Document No. 1455194, Book 5194, Page 0464, Official Public Records, Webb County, Texas (the "Original Memorandum"). Capitalized terms used but not otherwise defined in this Amendment will shall have the meanings ascribed to them in the Original Lease.

B. Owner and Grantee desire to amend the Original Lease and the Original Memorandum as provided below and to give record notice of the same.

AGREEMENTS

NOW, THEREFORE, in consideration of the covenants, agreements, and for other good and valuable consideration herein contained, the receipt of which is hereby acknowledged, the Parties acknowledge and agree to and hereby provide constructive notice of the following matters:

1. Amendment to the Property. The description of the “Property” (as described in Exhibit A of the Original Lease and Exhibit A of the Original Memorandum) is hereby deleted in its entirety and replaced with description set forth on Exhibit A hereto.

2. Lease Unchanged and Ratification. Except as specifically set forth in this Amendment, all terms and conditions of the Original Lease shall remain in full force and effect as of the Effective Date. The Parties hereby ratify the Original Lease, as amended, in all respects, and affirm that the Original Lease, as amended, constitutes a valid and binding obligation and agreement, and is enforceable in accordance with its terms.

3. Binding Effect. The rights and obligations set forth herein shall be binding upon and inure to the benefit of the Parties and their respective successors and assigns.

4. No Modification. Except as specifically set forth in this Amendment, all terms and conditions of the Original Lease and Original Memorandum shall remain in full force and effect. In the event of any inconsistency between the terms of the Original Lease and this Amendment, the terms of this Amendment shall prevail.

5. Counterparts. This Amendment may be executed in counterparts, each of which shall be deemed an original and all of which when taken together shall constitute one and the same document.

[Signature pages follow]

IN WITNESS WHEREOF, each of the undersigned has caused this Amendment to be executed by its duly authorized representative to be effective as of the Effective Date.

GRANTEE:

Gransolar Texas Two, LLC,
a Texas limited liability company

By: _____

Name: _____

Title: _____

STATE OF _____

§

COUNTY OF _____

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BEFORE ME, the undersigned authority, on this day personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he/she executed the same for the purposes and consideration herein express.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this ____ day of _____, 2023.

Notary Public in and for the State of _____

Printed or stamped Name of Notary

My Commission Expires: _____

EXHIBIT A
TO FIRST AMENDMENT TO SOLAR ENERGY LEASE AND EASEMENT
AGREEMENT AND MEMORANDUM OF FIRST AMENDMENT TO SOLAR ENERGY
LEASE AND EASEMENT AGREEMENT

DESCRIPTION OF PROPERTY

LEGAL DESCRIPTION

Being all that certain tract or parcel of land situated in the Webb County School Land Survey, Survey No. 1687, Abstract No. 1890, Webb County, Texas, being the remaining portion of a called 12,941,593 square vara tract of land described in the deed to Webb County, Texas, recorded in Volume 13, Page 284-285, Deed Records, Webb County, Texas and being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2-inch iron rod found at the Westernmost Northwest corner of said called 12,941,593 square vara tract, the Northernmost Northeast corner of a called 57.4571 acre tract, described as Tract "K", in a deed to Las Piles Investments, as recorded in Volume 620, Page 327, Deed Records, Webb County, Texas, on interior ell corner of a called 10.2762 acre tract. described as Tract "B", 30 foot Road Easement, in a deed to Rafael Guerra, Jr. & Romula Guerra, recorded in Volume 1866, Page 551, Official Public Records, Webb County, Texas, and the Westernmost Northwest corner of said Webb County School Land Survey;

THENCE N88°52'15"E, with the Southernmost North line of said called 12,941,593 square vara tract, a South line of said Tract "B", passing on 1-1/2-inch iron pipe found at the Southwest corner of a called 174.761 acre tract, described as Tract "A", in deed to Webb County, Texas, recorded in Volume 1049, Page 646, Deed Records, Webb County, Texas, at a distance of 6665.66 feet, continuing with the Southernmost North line of said called 12,941,593 square vara tract and the South line of said called 174.761 acre tract, for a total distance of 10,486.51 feet to a concrete monument found at an ell corner of said called 12,941,59.3 square acre tract and said Webb County School Land Survey, and the Southeast corner of said called 174.761 acre tract;

THENCE N01°06'06"W, with the East line of said called 174-.761 acre tract and the Easternmost West line of said called 12,941,593 square vera tract, a distance of 1963.14 feet to a 3/4-inch iron rod found at the Northeast earner of said called 174.761 acre tract, in a South line of a called 3509.05 acre tract, described in deed to Tesoros Escondidos, LTD., recorded in Volume 5114, Page 523, Official Public Records, Webb County, Texas;

THENCE N88°56'24"E, departing the West line and over and across said called 12,941,593 square vara tract, with the South line of said called .3509.05 acre tract, a distance of 1352.83 feet to a 5/8-inch iron rod with cop stumped "LANDPOINT" set (herein after referred to as capped iron rod set) at an interior ell corner of said called 3509.05 acre tract;

THENCE over and across said called 12,941,593 square vera tract with a West line of said called 3509.05 acre tract, the following Two (2) courses and distances:

S00°03'18"E, a distance of 1959.01 feet, from which a 3/4-inch iron rod found bears N76°44'35"E, a distance of 2.12 feet;

S00°07'12"E, a distance of 1499.43 feet to a capped iron rod set at the Southernmost Southwest corner of said called 3509.05 acre tract, in the North Right of Way Easement line of a called 42.4 acre tract, described in deed to Webb County, Texas, recorded in Volume 189, Page 97, Deed Records, Webb County. Texas, said right of way easement known as U.S. Highway 59;

THENCE N64'33'12"E, continuing over and across said called 12,941,593 square vara tract, with the South line of said called 3509.05 acre tract and the North Right of Way Easement line, a distance of 55.22 feet to a copped iron rod set in the East line of said called 12,941,593 square vara tract, at the Northeast corner of said North Right of Way Easement line and the Northwest corner of o called 19.8 acre tract, described as a Right of Way, in deed to Webb County, Texas, recorded in Volume 156, Page 114, Deed Records. Webb County, Texas;

THENCE S00'05'28"E. departing the South line of said .3509.05 acre tract, with the East line of said called 12,941,593 square vara tract, the West line of said called 19.8 acre Right of Way line, and the East Right of Way Easement line, passing the Southwest corner of said called 19.8 acre Right of Way and the Southeast corner of said Right of Way Easement, the Northwest corner of a called 18,874.52 acre tract, described in deed to Walker-Brice Land Co., LTD, recorded in Volume 5101, Page 709, Official Public Records, Webb County, Texas, at a distance of 165.99 feet, from which a 1 1/2-inch copped iron rod in concrete found bears N64'33'13"E, A distance of 2.61 feet, continuing with the East line of said called 12,941,59.3 square vera tract, a distance of 4978.26 feet to a concrete monument found at the Northernmost Southeast corner of said called 12,941,593 square vora tract and on interior ell corner of said called 18,874.52 acre tract;

THENCE S89'29'33"W, with the Northernmost South line of said called 12,941,593 square vera tract and a North line of said called 18,874.52 acre tract, a distance of 1866.30 feet to o concrete monument found at an interior ell corner of said called 12,941,593 square vara tract and a corner for said called 18,874.52 acre tract:

THENCE S00'05'28"W, with the Westernmost East line of said called 12,941,593 square vera tract and o West line of said called 18,874.52 acre tract, a distance of 1866.16 feet to o concrete monument found at the Southernmost Southeast corner of said called 12,941,593 square vara tract and an interior ell corner of said called 18,874.52 acre tract;

THENCE S89'30'25"W, with the South line of said 12,941,593 square vara tract and o North line of said called 18,874.52 acre tract, passing a 1/2-inch iron rod found at a corner of said called 18,874.52 acre tract and the Northeast corner of a called 438.4237 acre tract, described in deed to Clemente R. Ruiz, as recorded in Volume 579, Page 527, Official Public Records, Webb County, Texas, and transferred to Elmo Ruiz by Certified Copy of Probate, recorded in Volume 3367, Page 732, Official Public Records, Webb County, Texas, at a distance of 6160.14 feet, continuing with the South line of said called 12,941,593 square vara tract and the North line of said called 438.4237 acre trod, passing a concrete monument found at the Northwest corner af said called 438.4237 acre tract, the Southeast corner of said called 42.4 acre Right of Way Easement and the Northeast corner of a called 61.7 acres, described as a Right of Way, in deed to Webb County, Texas, recorded in Volume 188, Page 246, Deed Records, Webb County, Texas, at a distance of 8176.34 feet, continuing with the South line of said called 12,941,593 square varo tract, the South line of said Right of Way Easement and the North line of said called 61.7 acre Right of way, passing the Southwest corner of said Right of Way Easement and the Northwest corner of said called 61.7 acre Right af way, the Southernmost Northeast earner of said Tract K, and the Southernmost Northeast corner of said Tract 8, at a distance of 8376.76 feet, continuing with the South line of said called 12,941,593 square vara tract, the common North line of said Tract K and said Tract B, a total distance of 10,002.32 feet to a copped iron rod set at the Southwest corner of said called 12,941,593 square vara tract and the common ell corner of said Tract K and said Tract B;

THENCE N00'03'48"E, with the West line of said called 12,941,593 square vara tract and the common East line of said Tract K and said Tract B, a distance of 8187.25 feet to the POINT OF BEGINNING and containing 2,225.93 acres (96,961,480 square feet) of land, more or less.