

## FIRST AMENDMENT TO CITY OF NIEDERWALD ORDINANCE NO. 20220411A

This **First Amendment to City of Niederwald Ordinance No. 20220411A** ("First Amendment") is entered into and becomes effective on this 7<sup>th</sup> day of October, 2024, by and between **Camino Real Utility Company LLC**, a Texas limited liability Company, and **Spanish Trail Utility Company LLC**, a Texas limited liability Company (collectively, the "*Companies*") and **City of Niederwald** (the "*City*").

### RECITALS

WHEREAS, **Camino Real Utility Company LLC** and **City of Niederwald** previously entered into Ordinance No. 20220411A, passed by the City Council of Niederwald, with an effective date of April 12, 2022, a copy of which is attached hereto as **Attachment 1** ("*Original Ordinance*").

WHEREAS, **Camino Real Utility Company LLC** and the **City of Niederwald** now wish to include **Spanish Trail Utility Company LLC** to the Original Ordinance and therefore desire to enter into this **First Amendment** to reflect that inclusion.

### FIRST AMENDMENT

NOW, THEREFORE, in consideration of the mutual promises and covenants herein and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the **Companies** and the **City** agree as follows:


1. **Statement of Purpose.** Notwithstanding the terms and conditions of the Original Ordinance, the City hereby includes **Spanish Trail Utility Company LLC** in this Ordinance, granting the existing rights, privileges, and franchise as previously granted to **Camino Real Utility Company LLC** under the Original Ordinance.
2. **Grant of Authority.** Notwithstanding the terms, conditions, and provisions of this ordinance and other applicable state, federal, and local laws and regulations, the City shall extend the right, privilege, and franchise to **Spanish Trail Utility Company LLC**.
3. **Definitions.** Item B. of Section 2 of the Original Ordinance is deleted and replaced as follows:

B. "**Companies**" shall mean **Camino Real Utility Company LLC**, a Texas limited liability company, and **Spanish Trail Utility Company LLC**, a Texas limited liability company. The term "**Companies**" shall not mean any of its affiliates and subsidiaries who shall have no right, privilege, or franchise granted hereunder.


4. Any reference to “**Company**” in any section of this Original Ordinance shall be interpreted and constructed as “**Companies**”.

**EXECUTED** to be effective as of the date first written above.

**CAMINO REAL UTILITY COMPANY LLC,**  
a Texas limited liability company

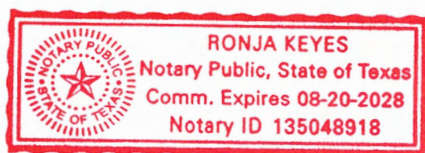
By:   
Shilen Patel, Chief Executive Officer

SPANISH TRAIL UTILITY COMPANY LLC,  
a Texas limited liability company

By:   
Shilen Patel, Chief Executive Officer

THE STATE OF TEXAS                   §  
COUNTIES OF CALDWELL & HAYS     §

This instrument was acknowledged before me on the 5<sup>th</sup> day of December, 2024, by Shilen Patel, in his capacity as President and Chief Executive Officer of CAMINO REAL UTILITY COMPANY LLC, a Texas limited liability company, and SPANISH TRAIL UTILITY COMPANY LLC, a Texas limited liability company, on behalf of said limited liability company.



Ronja Keyes  
NOTARY PUBLIC, State of Texas

COUNTIES OF CALDWELL & HAYS      §  
§

I, the duly appointed, qualified, and acting City Administrator of Niederwald, Texas, Do hereby certify that the above and foregoing amendment to the ordinance was read on first reading at a regular meeting of the City Council of said Niederwald, Texas, held on the 7<sup>th</sup> day of October, 2024; that written notice of the date, place and subject of said meeting was posted on a bulletin board located at a place convenient to the public in the City Hall for at least 72 hours preceding the day of said meeting; that the Mayor, Charles Bisson, and 3 Council members:

- |                           |          |
|---------------------------|----------|
| 1. <u>Ken Perry</u>       | 4. _____ |
| 2. <u>Cheryl Williams</u> | 5. _____ |
| 3. <u>Connie Wood</u>     |          |

were present at said meeting and acted as the Council throughout; that the same has been signed and approved by the Mayor and is duly attested by the City Administrator; and that the same has been fully filed with the City Administrator and recorded by the City Administrator in full in the books for the purpose of recording the ordinances of the City of Niederwald, Texas.

EXECUTED under my hand and the official seal of the City of Niederwald, Texas at said City, this 7<sup>th</sup> day of October, 2024.

Reynell Smith  
CITY ADMINISTRATOR OF THE  
CITY OF NIEDERWALD, TEXAS

[SEAL]

