

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.

STATE OF TEXAS §

COUNTY OF MONTGOMERY §

FIRST AMENDMENT TO ENCROACHMENT AND MAINTENANCE AGREEMENT

THIS FIRST AMENDMENT TO ENCROACHMENT AND MAINTENANCE AGREEMENT ("Amendment") is made this 25th of May 2021, between the **CITY OF MONTGOMERY, TEXAS** ("City") and **FIRST HARTFORD REALTY CORPORATION**, a Delaware corporation ("Owner").

RECITALS

City and Owner entered into a Encroachment and Maintenance Agreement in September 2020 ("Original Agreement"); and

The parties wish to amend the Original Agreement for the purpose of installing, placing and maintaining five (5) additional monument signs within the City public utility easement, subject to all other provisions of the Original Agreement.

NOW, THEREFORE, be it mutually agreed, by City and Owner as follows:

1. Consent to Encroachment. Subject to the above recitals, and the terms of the Original Agreement, City hereby consents and allows Owner to install, place and maintain five (5) additional monument signs within the City public utility easement. See attached hereto as Exhibit "A" a depiction of the location of the five (5) additional monument signs.
2. Definition of Property. The term Property as used in the Original Agreement is expanded to include Reserves A, B, D and E as shown on the attached Exhibit "A."
3. Agreement in Effect. All terms and conditions of the Original Agreement not specifically changed by this Amendment shall remain in full force and effect.
4. Effective Date. This Amendment shall be effective on May 25, 2021.

CITY OF MONTGOMERY, TEXAS

By: _____
Sara Countryman, Mayor

ATTEST:

By: _____
Susan Hensley, City Secretary

STATE OF TEXAS §

COUNTY OF MONTGOMERY §

Before me on this day, personally appeared **SARA COUNTRYMAN, MAYOR** of the **CITY OF MONTGOMERY, TEXAS**, proved to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that the instrument was the act of the City, and that she executed the instrument as the act of said City for the purposes and consideration expressed therein, by proper authority, and in the capacity stated in the instrument.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this ____ day of _____, 2021.

Notary Public, State of Texas

FIRST HARTFORD REALTY CORPORATION

By: _____

Name: _____

Title: _____

STATE OF TEXAS §

COUNTY OF HARRIS §

Before me on this day, personally appeared _____, _____ of the **FIRST HARTFORD REALTY CORPORATION**, a Delaware corporation, proved to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that the instrument was the act of the corporation, and that he/she executed the instrument as the act of said corporation for the purposes and consideration expressed therein, by proper authority, and in the capacity stated in the instrument.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this ____ day of _____, 2021.

Notary Public, State of Texas

After recording, return to:
City of Montgomery, Texas
Attention: Susan Hensley, City Secretary
101 Old Plantersville Road
Montgomery, Texas 77316

EXHIBIT A

(location of the five (5) additional monument signs)