

**FIRST AMENDMENT TO DEVELOPMENT/INTERLOCAL AGREEMENT  
BETWEEN THE TOWN OF PROSPER, TEXAS, AND FOUNDERS CLASSICAL  
ACADEMY OF PROSPER**

**THIS FIRST AMENDMENT TO DEVELOPMENT/INTERLOCAL AGREEMENT BETWEEN THE TOWN OF PROSPER, TEXAS, AND FOUNDERS CLASSICAL ACADEMY OF PROSPER** ("First Amendment to Agreement"), is made and entered into this \_\_\_\_ day of \_\_\_\_\_, 2022, by and between the Town of Prosper, Texas ("Prosper" or the "Town"), and Founders Classical Academy of Prosper, collectively referred to as the "Parties."

**WITNESSETH:**

**WHEREAS**, on or about March 22, 2021, the Town and Founders Classical Academy of Prosper entered into a Development/Interlocal Agreement between the Town of Prosper, Texas, and Founders Classical Academy of Prosper ("Agreement") regarding the construction of a Charter School in the Town, with said Charter School located on property at the southwest corner of First Street and Custer Road in the Town; and

**WHEREAS**, the Parties mutually desire to amend Paragraph 2, "Outdoor Lighting Standards," contained in the Agreement.

**NOW, THEREFORE**, the Town and Founders Classical Academy of Prosper hereby agree as follows:

1. **Amendment to Paragraph 2.** Paragraph 2, "Outdoor Lighting Standards," of the Agreement is hereby amended to read as follows:

"2. **Outdoor Lighting Standards.** All outdoor lighting on the Property shall be designed or positioned so that the maximum illumination at the property line next to any protected residential property shall not exceed one-quarter (1/4) foot-candle and shall not exceed one-half (1/2) foot-candle adjacent to street right-of-way."

2. **Effect of Development Agreement.** Except to the extent referenced in this First Amendment to Agreement, the Agreement shall remain unchanged and in full force and effect.

**IN WITNESS WHEREOF**, the parties hereto have caused this document to be executed as of the date first above written.

**THE TOWN OF PROSPER, TEXAS**

By: \_\_\_\_\_  
Name: Harlan Jefferson  
Title: Town Manager

**STATE OF TEXAS        )**  
                                  )  
**COUNTY OF COLLIN    )**

This instrument was acknowledged before me on the \_\_\_\_ day of \_\_\_\_\_, 2022, by Harlan Jefferson, Town Manager for the Town of Prosper, Texas, on behalf of the Town of Prosper, Texas.

\_\_\_\_\_  
Notary Public, State of Texas

**FOUNDERS CLASSICAL ACADEMY OF PROSPER**, a Texas nonprofit corporation

By: Robert Davison  
Robert Davison, Chief Operating Officer

**Approved as to Form:**

Chris Baumann  
Chris Baumann, Chief Legal Officer

STATE OF TEXAS       )  
                                  )  
COUNTY OF COLLIN    )

Before me, the undersigned authority, a notary public in and for the State of Texas, on this day personally appeared Robert Davison, the Chief Operating Officer of Founders Classical Academy of Prosper, a Texas nonprofit corporation, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and consideration expressed, and in the capacity therein stated, on behalf of such entity.

Given under my hand and seal of office this 3<sup>rd</sup> day of MAY, 2022.



Rob Flores #13064171-4  
Notary public in and for the State of Texas  
My commission expires: 4/28/2024