

AMENDMENT TO PURCHASE CONTRACT

This Amendment to Purchase Contract (this "Amendment") is dated as of this 1st day of August 2023 (the "Effective Date"), and is by and between the **City of Tomball, Texas** (the "Buyer"), the **Municipal Gas Acquisition and Supply Corporation** ("MuniGas") and the **City of La Grange, Texas** (the "Agent").

Recitals

WHEREAS, the Buyer, MuniGas and Agent heretofore have entered into that certain Purchase Contract dated June 19, 2006 (the "Purchase Contract"); and

WHEREAS, the Buyer, MuniGas and Agent would like to amend certain provisions relating to the term of the Purchase Contract;

NOW, THEREFORE, in consideration of the mutual benefits to be obtained hereunder, the Buyer, MuniGas and Agent hereby agree to amend the Purchase Contract as follows:

Agreement

- (1) Section 10 "Term" is hereby amended by deleting it in its entirety and restating it to read as follows:

10. Term. This Purchase Contract shall commence on June 19, 2006, and shall extend to December 31, 2036. The term of this Purchase Contract shall automatically be extended by one year on each December 31, unless the Buyer, MuniGas, or the Agent has given written notice to the other two parties of its election not to extend the term of this Purchase Contract prior to such December 31, but in no event shall the term of this Purchase Contract be extended beyond December 31, 2053, except by written amendment executed by the parties hereto. This Purchase Contract may be phased out at the election of the Buyer as described in the Joint Contract.

- (2) Except to the extent amended hereby, the Purchase Contract is hereby ratified and confirmed in all respects and shall remain in full force and effect in accordance with its terms following execution and delivery of this amendment.
- (3) This instrument may be executed in any number of counterparts, each of which so executed shall be deemed to be an original, but all such counterparts shall constitute but one and the same instrument.

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The parties hereto have caused this Amendment to Purchase Contract to be duly executed and effective as of the Effective Date.

BUYER:

CITY OF TOMBALL, TEXAS

By: _____

Name: _____

Title: _____

Date: _____

Attest/Countersign:

By: _____

Name: _____

Title: _____

AGENT:

CITY OF LA GRANGE, TEXAS

By: _____

Name: Jan Dockery

Title: Mayor

Date: _____

Attest/Countersign:

By: _____

Name: Janet Bayer

Title: City Secretary

MUNIGAS:

MUNICIPAL GAS ACQUISITION AND SUPPLY CORPORATION

By: _____

Name: Glen Pape

Title: President

Date: _____

Attest/Countersign:

By: _____

Name: Shawn Raborn

Title: Secretary