

FIRST AMENDMENT TO PERFORMANCE AGREEMENT

THIS FIRST AMENDMENT TO PERFORMANCE AGREEMENT (this "First Amendment"), is entered into and is effective as of the 6th day of January 2022 by and between the **WYLIE ECONOMIC DEVELOPMENT CORPORATION** (the "WEDC"), a Texas economic development corporation, and **GDA Investments, LLC. - Series 53.**, a Texas limited liability corporation (the "Company").

W I T N E S S E T H:

WHEREAS, WEDC Board of Directors approved that certain Performance Agreement between WEDC and Company on October 21, 2020 to facilitate a 10,800-square foot expansion of their current facility (the "Project"); and

WHEREAS, WEDC and Company desire to modify and amend the Agreement in certain respects, as more particularly set forth in this First Amendment.

NOW, THEREFORE, in an effort to address unforeseen circumstances surrounding the beginning start date of the project, the WEDC and Company covenant and agree as follows:

1. Defined Terms. Capitalized terms used but not defined in this First Amendment will have the meanings given to them in the Agreement.
2. Modification to Performance Obligations. Notwithstanding anything to the contrary in the Agreement, the Eligibility Expiration Dates by which the Company must provide receipt of documentation to prove Compliance with the Performance Requirements associated with the project located in Wylie, Texas as defined in Section 2. A. (i, ii, & iii) and Section 2. B. (i, ii & iii) are hereby extended twelve (12) months from the date referenced within each Section.
3. Ratification. As expressly modified by this First Amendment, the Agreement is hereby ratified and confirmed by WEDC and Company.
4. Counterparts; Transmission. This First Amendment may be executed in multiple counterparts, each of which shall be deemed an original, and all of which shall constitute one and the same agreement. Transmission of an executed signature page of this First Amendment by email will be effective to create a binding agreement.

[Signatures appear on next page]

IN WITNESS WHEREOF, the parties hereto have executed this First Amendment the day and year first above written.

WEDC:

Wylie Economic Development
Corporation, a Texas Corporation

By: _____
Name: _____
Title: _____

COMPANY:

GDA Investments, LLC. - Series 53
a Texas Limited Liability Corporation

By: _____
Name: _____
Title: _____