

**FIRST AMENDMENT TO PERFORMANCE  
AGREEMENT**

THIS **FIRST AMENDMENT TO PERFORMANCE AGREEMENT** (this "First Amendment"), is entered into and is effective as of the 20<sup>th</sup> day of December, 2023 by and between **WYLIE ECONOMIC DEVELOPMENT CORPORATION**, a Texas economic development corporation ("WEDC"), and **SANDEN INTERNATIONAL (U.S.A.), INC.**, a Texas corporation (the "Company").

WITNESSETH:

**WHEREAS**, WEDC Board of Directors approved that certain Performance Agreement between WEDC and Company on October 20, 2023 to provide economic assistance for personal property improvements in the form of added equipment and maintaining at least 240 Full-Time Employees at the Company's facility located at 601 Sanden Blvd., Wylie, Texas, Collin County, Texas (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 personal property improvements, the WEDC and Company covenant and agree as follows:

- I. 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 CO Deadline as defined in Section II (a)1 of the Agreement is hereby modified to be 5:00 p.m., Central Time, on March 30, 2024.
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:**

Sanden International (U.S.A.), Inc., a Texas  
Corporation ("Company").

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_