

STATE OF TEXAS
COUNTY OF COLLIN

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FOURTH AMENDMENT TO
ECONOMIC DEVELOPMENT INCENTIVE AGREEMENT

This Fourth Amendment to Economic Development Incentive Agreement ("Fourth Amendment") is made by and between the City of Allen, Texas ("City"), and Altera AHCC, LLC, a Texas limited liability company ("Company") (each a "Party" and collectively the "Parties"), acting by and through their respective authorized officers.

WITNESSETH:

WHEREAS, the City and the Company, as successor-in-interest to TCH Altera AHCC LP, a Texas limited partnership, entered into that certain Economic Development Incentive Agreement dated May 6, 2015 (the "Original Agreement"), as amended by that certain First Amendment to Economic Development Incentive Agreement dated November 11, 2015 (the "First Amendment"), as amended by that certain Second Amendment to Economic Development Incentive Agreement dated June 16, 2016 (the "Second Amendment"), and as further amended by that certain Third Amendment to Economic Development Incentive Agreement dated March 3, 2017 (the "Third Amendment") (collectively, the Original Agreement, as amended by the First Amendment, the Second Amendment and the Third Amendment are referred to hereafter as the "Incentive Agreement"); and

WHEREAS, the Parties desire to amend the Incentive Agreement by amending the definition of the Commencement Date set forth in Article III.

NOW THEREFORE, in consideration of the foregoing, and on the terms and conditions hereinafter set forth, and other valuable consideration the receipt and sufficiency of which are hereby acknowledged, the Parties agree as follows:

1. Capitalized terms used in this Fourth Amendment but not defined herein shall have the meanings ascribed to them in the Incentive Agreement.

2. The definition of the "Commencement Date" in Article III of the Incentive Agreement is hereby deleted in its entirety and amended to read as follows:

"Commencement Date" shall mean January 1, 2019.

3. This Fourth Amendment shall become effective on the last date of execution hereof.

4. The Incentive Agreement, except as amended herein, shall remain in full force and effect.

5. This Fourth Amendment may be executed in counterparts. Each of the counterparts shall be deemed an original instrument, but all of the counterparts shall constitute one and the same instrument.

6. Each Party represents that it has full capacity and authority to grant all rights and assume all obligations that are granted and assumed under this Fourth Amendment to the Incentive Agreement.

[Signature Page to Follow]

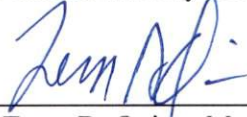
EXECUTED on this the _____ day of _____, 2019.

CITY OF ALLEN, TEXAS

By: _____
Peter H. Vargas, City Manager

EXECUTED on this the 30th day of January, 2019.

ALTERA AHCC, LLC,
a Texas limited liability company

By: 
Terry D. Quinn, Manager