

First Amendment to the Agreement of Compromise, Settlement and Release
Dated December 28, 2017

This First Amendment (“Amendment”) to the Agreement of Compromise, Settlement and Release Dated December 28, 2017 (“2017 Settlement”) is made and entered into between Rural Water District No. 5, Wagoner County, Oklahoma (the “District”) and the City of Coweta (“City”) and the Coweta Public Works Authority (“CPWA”) (collectively City and CPWA are referred to as “Coweta”). Each are a Party and together the Parties.

This Amendment is made effective on the date it has been last approved and signed by the District, Coweta and the United States Department of Agriculture/Rural Utilities Service (“USDA”).

1. This Amendment shall amend the terms and conditions of the 2017 Settlement, only with respect to the provisions herein contained, and the 2017 Settlement shall in all other respects remain in full force and effect and unaltered.

2. The Royalty Area as that term is defined in the 2017 Settlement, shall also include the land identified in the attached Exhibit A as Tract No. 1, comprising approximately 5.51 acres, notwithstanding any provision in the 2017 Settlement to the contrary, including without limitation the provision referencing the Royalty Area in Section 7 (f) that any such land would be annexed by Coweta. The Parties so agree knowing that at the time of executing this Amendment that said Tract No. 1 is not within the Coweta City Limits and has not been, nor contemplated to be, annexed by Coweta.

In Witness Whereof, the District and Coweta have executed this Amendment.

City of Coweta

Coweta Public Works Authority

Mayor of the City of Coweta

Chairperson of the Coweta Public
Works Authority

Dated:

Dated:

Attest
Title:

Dated:

Rural Water District No. 5, Wagoner County, Oklahoma

Chairperson/President

Dated:

The United States Department of Agriculture/Rural Utilities Service consents to and does not oppose this Amendment.

United States Department of Agriculture/Rural Utilities Service

By
Authorized Representative

Dated: