

AMENDMENT AND EXTENTION OF DELIVERY ORDER NO. 026

Dated as of 8/25/2020 - to Contract No. 70320

THIS AMENDMENT AND EXTENSION OF DELIVERY ORDER NO. 026 (this "Amendment") is made and entered into effective as of Jan. 25, 2022 by and between BancorpSouth Equipment Finance, a division of BancorpSouth Bank f/k/a First Continental Leasing, a division of BancorpSouth Bank ("Seller"), and Polk County, Texas ("Buyer").

WHEREAS, the Seller and Buyer entered into an Equipment Contract dated as of January 19, 2016 (the "Contract") and, pursuant to which Delivery Order No: 026 was issued (the "Delivery Order") (as used herein, any capitalized terms not otherwise defined shall have the respective meanings ascribed thereto in the Contract); and

WHEREAS, the parties desire to amend the Delivery Order in order to extend the date upon which the final payment is due and to provide for additional interim rental payments as set forth herein.

NOW, TEREFORE, for and in consideration of the mutual covenants made herein and for other good and valuable consideration, the full sufficiency of which is hereby acknowledged, the Seller and the Buyer agree as follows:

1. Notwithstanding anything contained in the Contract or the Delivery Order to the contrary, the date upon which the final payment is due to be made as originally set forth in the Payment Schedule is hereby extended from January 10, 2022 until April 10, 2022 (the latter date being the "Extended Concluding Payment Due Date").
2. Payment Due date:
 - (a) On January 10, 2022 a payment of \$127,925.29 is due and then on the Extended Concluding Payment Due Date, the Buyer shall pay \$981,451.31 to Seller the Concluding Payment Amount on April 10, 2022.
 - (b) See attached AM report.
3. Except as expressly modified by this Amendment, the parties agree that:
 - (a) In all other respects, all terms, condition, obligations and provisions of the Contract and the Delivery Order shall be unchanged and remain the same and in full force and effect, and all terms of the

Contract and the Delivery Order, as herein modified, are expressly ratified and confirmed in all respects; and

(b) In the event that there shall be any conflict between the terms of this Amendment and the terms of the Contract or the Delivery Order, the terms and provisions of this Amendment shall govern and the Contract and the Delivery Order is deemed automatically amended and modified without any further action upon the Buyer's execution and delivery of this Amendment; and

IN WITNESS WHEREOF, Seller and Buyer have caused this Amendment to be executed effective as of the date first above written.

SELLER:
BancorpSouth Equipment Finance, a division of
BancorpSouth Bank
12 Thompson Park
Hattiesburg, MS 39401

By: _____

Title: _____

BUYER:
Polk County, Texas
602 E. Church Street
Livingston, TX 77351

By:  _____

Title: County Judge

Compounding Period: Monthly

Nominal Annual Rate: 2.230%

Cash Flow Data - Loans and Payments

Event	Date	Amount	Number	Period	End Date
1 Loan	12/10/2020	1,077,600.00	1		
2 Payment	01/10/2021	0.00	12	Monthly	12/10/2021
3 Payment	01/10/2022	127,925.29	1		
4 Payment	02/10/2022	0.00	2	Monthly	03/10/2022
5 Payment	04/10/2022	981,451.31	1		

TValue Amortization Schedule - Normal, 30E3/360

	Date	Payment	Interest	Principal	Balance
Loan	12/10/2020				1,077,600.00
1	01/10/2021	0.00	2,002.54	-2,002.54	1,079,602.54
2	02/10/2021	0.00	2,006.26	-2,006.26	1,081,608.80
3	03/10/2021	0.00	2,009.99	-2,009.99	1,083,618.79
4	04/10/2021	0.00	2,013.72	-2,013.72	1,085,632.51
5	05/10/2021	0.00	2,017.47	-2,017.47	1,087,649.98
6	06/10/2021	0.00	2,021.22	-2,021.22	1,089,671.20
7	07/10/2021	0.00	2,024.97	-2,024.97	1,091,696.17
8	08/10/2021	0.00	2,028.74	-2,028.74	1,093,724.91
9	09/10/2021	0.00	2,032.51	-2,032.51	1,095,757.42
10	10/10/2021	0.00	2,036.28	-2,036.28	1,097,793.70
11	11/10/2021	0.00	2,040.07	-2,040.07	1,099,833.77
12	12/10/2021	0.00	2,043.86	-2,043.86	1,101,877.63
13	01/10/2022	127,925.29	2,047.66	125,877.63	976,000.00
14	02/10/2022	0.00	1,813.73	-1,813.73	977,813.73
15	03/10/2022	0.00	1,817.10	-1,817.10	979,630.83
16	04/10/2022	981,451.31	1,820.48	979,630.83	0.00
Grand Totals		1,109,376.60	31,776.60	1,077,600.00	

BANCORPSOUTH EQUIPMENT FINANCE
A division of Cadence Bank
12 Thompson Park
Hattiesburg, MS 39401

INVOICE

(Please return a copy of this invoice with your payment)

January 6, 2022

Ref: Polk County, Texas
Delivery Order - 026

8 Mack Dump Trucks

Payment Due: 1/10/2022 - \$1,103,925.29

TOTAL AMOUNT DUE from Polk County TX: \$127,925.29

Principal: \$101,600.00

Interest: \$26,325.29

THANK-YOU

Due from East Texas Mack \$976,000.00