

STATE OF TEXAS §
§
COUNTY OF POLK §

ORDER APPROVING AMENDMENT TO THE SECOND ADDENDUM TO LANDFILL AND MUNICIPAL SOLID WASTE SYSTEM OPERATING AGREEMENT

WHEREAS, Polk County, Texas has an Operating Agreement with Santek Environmental of Texas, LLC for the operation and maintenance of the Polk County Solid Waste Landfill;

WHEREAS, the collection and marketing of landfill gas from the Solid Waste Landfill would provide an environmental sound energy source and additional revenue to Polk County;

WHEREAS, on June 8, 2010, the Polk County Commissioners Court approved an Order for a Second Addendum to the Landfill and Municipal Solid Waste System Operating Agreement. Specifically, pursuant to Section 262.024, Local Government Code, the approval of the Second Addendum was necessary to preserve and protect the public health or safety of the residents of the county

WHEREAS, the Second Addendum provided that Santek Environmental of Texas, LLC, may assign, delegate and/or subcontract this Addendum and/or al or any part of its Landfill Gas Obligations and its rights with respect thereto under the Second Addendum to any affiliate of Santek Environmental of Texas, LLC;

WHEREAS, Santek Environmental of Texas, LLC, assigned its Landfill Gas Obligations to an affiliate, GENERGY LLC.;

WHEREAS, Polk County consents to continue with GENERGY LLC for the collection and marketing of landfill gas from the Solid Waste Landfill to provide an environmental sound energy source and additional revenue to Polk County;

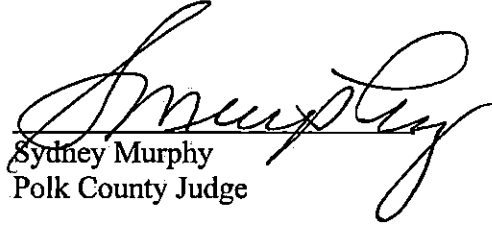
Upon consideration of the Second Addendum to Landfill and Municipal Solid Waste System Operating Agreement and the Assignment to GENERGY LLC, **IT IS HEREBY ORDERED AS FOLLOWS:**

1. Any termination or cancellation, if any, submitted to Santek Environmental Services of Texas, LLC, is rescinded and void including but not limited to any correspondence from March 2023;
2. Polk County consents to the previous Assignment of Contract Rights from Santek Environmental of Texas, LLC, to the then affiliate, GENERGY LLC, and the subsequent transaction concerning the acquisition by Republic Services, Inc. of the


parent company of Santek Environmental of Texas, LLC such that GENERGY LLC ceased to be an affiliate of Santek Environmental of Texas, LLC; and

3. The attached Amendment to the Second Addendum is hereby approved and the County Judge of Polk County is authorized to execute and deliver the Amendment to the Second Addendum.

Read and Adopted by a vote of 4 ayes and 0 nays on this 14th day of May, 2024.


Sydney Murphy
Polk County Judge

ATTEST:



Schelana Hock
Polk County Clerk