

AFTER RECORDING RETURN TO:

Robert D. Jordan
NextEra Energy Resources, LLC
700 Universe Boulevard, LAW/JB
Juno Beach, Florida 33408

SECOND AMENDMENT TO EASEMENT AGREEMENT

THIS SECOND AMENDMENT TO EASEMENT AGREEMENT (this "**Second Amendment**") is made and entered into this ____ day of _____, 2024, by and between the City of Lawton ("**Grantor**" or "**Landowner**"), and Comanche Renewables, LLC, an Oklahoma limited liability company ("**Grantee**" or "**Company**").

A. Grantor and Grantee entered into that certain Easement Agreement filed of record July 19, 2023 at Book 9368, Page 207 in the Records of the County Clerk of Comanche, Oklahoma (the "**Agreement**").

B. Grantor and Grantee amended the Agreement and an Amendment to Easement Agreement was filed of record on September 18, 2024 at Book 9665, Page 141 in the Records of the County Clerk of Comanche, Oklahoma (the "**First Amendment**").

C. The parties desire to amend the Agreement as amended by the First Amendment as set forth in this Second Amendment.

NOW, THEREFORE, in consideration of the premises and the mutual covenants herein set forth, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Grantor and Grantee hereby agree as follows:

1. Definitions. Unless otherwise defined herein, all terms defined in the Agreement have the same meaning in this Second Amendment.

2. Section 2. Section 2 of the Agreement is hereby deleted in its entirety and restated as follows:

"2. The Landowner does hereby grant and convey unto Company, seven (7) perpetual exclusive right-of-way and easements (collectively, the "**Easement**") to own, use, develop, construct, lay, improve, install, operate, maintain, inspect, test, protect, repair, alter, convert, replace, in whole or in part, change the size of, change the product, relocate within the easement, and remove or abandon in place (i) pipelines (the "**Pipelines**") and appurtenances and facilities as necessary, including cathodic protection equipment, aerial markers, power drops, telecommunications, controls, wires, cables, conduit, trays and such other equipment as is used or useful in the construction, use, operation and maintenance for the transportation of water and pipeline quality gas and their raw and naturally

occurring constituents and associated substances, including condensate (collectively, the "**Facilities**"), (ii) an access road (the "**Road**"), and (iii) all machinery, equipment, fixtures, buildings and improvements that are necessary or incidental to the gathering, processing, compression, transmission, transportation, consumption, use, monitoring, measuring, testing, marketing or storage of landfill gas (collectively, the "**Project Equipment**"), on, in, over, under, through and across the lands of Landowner described on Exhibit A situated in Comanche County, Oklahoma (the "**Property**"), with approximate location of the Easement areas being described on Exhibit A and being shown on Exhibit B and Exhibit B-1 attached hereto and made a part of this Agreement (collectively, the "**Easement Area**").

a. During the initial construction of the Pipeline(s), the Project Equipment, and/or the Facilities, and any periods of construction, maintenance, repair, replacement or removal of the Pipeline(s), the Project Equipment, and/or Facilities, Company shall also have the rights to utilize temporary rights-of-way areas more particularly described on Exhibit A; provided, however, that the temporary right-of-way areas may exceed the areas set forth on Exhibit A wherever required for Company's work to comply with safety requirements, applicable permits and regulations.

b. Prior to the commencement of construction of the Pipeline(s), the Project Equipment, and/or the Facilities, and following reasonable notice to Landowner, Company is hereby granted the right to enter upon the Property, for survey and investigatory purposes which shall include, but are not limited to, making surveys, soundings, drillings, appraisals, environmental assessments, archaeological assessments, and other examinations necessary to the construction of the Pipeline(s), the Project Equipment, and/or the Facilities. The Easement includes the right of ingress and egress over the Easement Area itself, over the Property of Landowner in order to obtain access to the Easement Area, and over the Property of Landowner adjacent to the Easement Area and lying between public or private roads and the Easement in such manner that shall cause the least practicable damage and inconvenience to Landowner. In no event shall Grantee be under any affirmative obligation to construct any pipeline on the Property."

3. Exhibit A. Exhibit A of the Agreement is hereby replaced with the Exhibit A attached hereto.

4. Exhibit B-1. Exhibit B-1 is hereby added to the Agreement and is attached hereto.

5. Continuing Effect. Except as amended herein, the Agreement shall continue in full force and effect. To the extent that terms of this Amendment are inconsistent with the terms of the Agreement, this Amendment shall control and the Agreement shall be amended, modified or supplemented so as to give full effect to the terms of this Amendment.

6. Counterparts. The parties may execute this Second Amendment in counterparts, each of which shall constitute an original and all of which, when taken together, shall constitute one and the same instrument.

[Signatures on the Following Page]

IN WITNESS WHEREOF, Landowner sets their hand and seal as of this _____ day of _____, 2024.

GRANTOR:

City of Lawton

By: _____
Its: _____

APPROVED as to form and legality this ___ day of _____, 2024.

John Ratliff, City Attorney

ACKNOWLEDGEMENT

STATE OF OKLAHOMA)
)
COUNTY OF COMANCHE)

On this ___ day of _____, 2024 appeared before me _____, _____, _____, personally known to me to be the person described herein and who has signed this Amendment to Easement Agreement and acknowledged that he/she signed this Amendment to Easement Agreement freely and voluntarily for the purposes and uses herein described.

Notary Public,
Commission No. _____
My Commission Expires: _____

(SEAL)

GRANTEE:

Comanche Renewables, LLC
an Oklahoma limited liability company,

By: _____
Norman Herrera, Manager

ACKNOWLEDGEMENT

STATE OF OKLAHOMA)
)
COUNTY OF OKLAHOMA)

On this ____ day of _____, 2024 appeared before me Norman Herrera, Manager of Comanche Renewables, LLC, personally known to me to be the person described herein and who has signed this Amendment to Easement Agreement and acknowledged that he signed this Amendment to Easement Agreement freely and voluntarily for the purposes and uses herein described.

In witness hereof, I have hereunto set my hand and affixed my official seal the day and year last written above.

Notary Public,
Commission No. _____
My Commission Expires: _____

(SEAL)

Exhibit A

Landowner Property

Approximately 83.747 acres which was attached to 1985 Type I-B permit issued by Okla State Department of Health, described as follows:

A tract of land described as beginning at the SW/corner of the SW/4 of Section 30, Township 1 North, Range 11 West, I.M., Comanche County, Oklahoma; thence North 00°09'00" East along the West boundary of the SW/4 of said Section 30, a distance of 1740 feet to a point; thence South 89°30'00" East, a distance of 1020 feet to a point; thence North 20°00'00" East, a distance of 816.76 feet to a point; thence South 70°00'00" East, a distance of 188.53 feet to a point; thence South 20°00'00" West, a distance of 750 feet to a point; thence South 00°09'00" West, a distance of 420 feet to a point; thence South 33°00'00" East, a distance of 377.01 feet to a point; thence South 84°00'00" East, a distance of 1206.28 feet to a point on the East boundary of the SW/4 of said Section 30; thence South 00°04'42" West along the East boundary of the SW/4 of said Section 30, a distance of 890 feet to a point on the south boundary of the SW/4 of said Section 30; thence North 89°30'00" West along the South boundary of the SW/4 of said Section 30, a distance of 2627.34 feet to the point of beginning, containing 3,648,033 square feet or 83.47 acres more or less.

Approximately 151 acres added to the Landfill by that certain Solid Waste Permit Modification issued by ODEQ in January 2007, described as follows: the NW ¼ of Section 31, Township 1 North, Range 11 West, less and except the south 143 feet of said NW ¼.

Pipeline Easement 1

A tract of land situated in the Southwest Quarter (SW/4) and the Southeast Quarter (SE/4) of Section 30, Township 1 North, Range 11 West of the I.M., Comanche county, Oklahoma, said tract being more particularly described as follows:

Basis of bearing for this description is the East line of said SE/4, assumed to bear S 00°09'42" W, and monumented by a found 2" aluminum cap at the Northeast corner of said SE/4 of Section 30 and a found cut 'X' at the Southeast corner of said SE/4 of Section 30;

Commencing at the Northeast corner of said SE/4;

Thence N 89°31'05" W along the North line of said SE/4 a distance of 33.00 feet to a point on the West statutory right-of-way line of S.W. Railroad Street, said point being the POINT OF BEGINNING.

Thence S 00°09'42" W along said West statutory right-of-way line a distance of 20.00 feet;

Thence N 89°31'05" W a distance of 2,227.94 feet;

Thence S 88°12'25" W a distance of 373.10 feet to a point on the West line of said SE/4;

Thence N 89°23'01" W a distance of 392.67 feet;

Thence N 89°53'36" W a distance of 500.51 feet;

Thence N 89°22'07" W a distance of 499.90 feet;

Thence N 89°12'50" W a distance of 813.31 feet;

Thence S 38° 42'25" W a distance of 271.93 feet;
Thence N 89°52'18" W a distance of 193.71 feet to a point on the East present right-of-way line of S. 11th Street;
Thence N 00°19'18" E along said East present right-if-way line a distance of 20.00 feet;
Thence S 89°52'18" E a distance of 184.01 feet;
Thence N 38°42'25" E a distance of 272.07 feet;
Thence S 89°12'50" E a distance of 823.06 feet;
Thence S 89°22'07" E a distance of 499.78 feet;
Thence S 89°53'36" E a distance of 500.51 feet;
Thence S 89°23'01" E a distance of 392.57 feet to a point on the West line of the SE/4;
Thence N 88°12'19" E a distance of 372.84 feet to a point on the North line of said SE/4;
Thence S 89°31'05" E along said North line a distance of 2,228.22 feet to the POINT OF BEGINNING.
Containing 105,459 Square Feet, or 2.42 acres, more or less.

Pipeline Easement 2

A tract of land situated in the Southeast Quarter (SE/4) of Section 30, Township 1 North, Range 11 West of the I.M., Comanche county, Oklahoma, said tract being more particularly described as follows:

Basis of bearing for this description is the East line of said SE/4, assumed to bear S 00°09'42" W, and monumented by a found 2" aluminum cap at the Northeast corner of said SE/4 of Section 30 and a found cut 'X' at the Southeast corner of said SE/4 of Section 30;

Commencing at the Northwest corner of said SE/4;

Thence S 00°04'24" W along the East line of said SE/4 a distance of 34.81 feet to the POINT OF BEGINNING;

Thence S 43°06'56" W a distance of 53.81 feet;

Thence S 05°48'42" E a distance of 443.56 feet;

Thence S 84°11'18" W a distance of 30.00 feet;

Thence N 05°48'42" W a distance of 443.56 feet;

Thence N 46°55'43" W a distance of 63.75 feet;

Thence S 89°23'01" E a distance of 113.20 feet to the POINT OF BEGINNING.

Containing 16,273 Square Feet, or 0.37 acres, more or less.

Project Equipment Easement

A tract of land situated in the Southwest Quarter (SW/4) and the Southeast Quarter (SE/4) of Section 30, Township 1 North, Range 11 West of the I.M., Comanche county, Oklahoma, said tract being more particularly described as follows:

Basis of bearing for this description is the East line of said SE/4, assumed to bear S 00°09'42" W, and monumented by a found 2" aluminum cap at the Northeast corner of said SE/4 of Section 30 and a found cut 'X' at the Southeast corner of said SE/4 of Section 30;

Commencing at the Northwest corner of said SE/4;

Thence S 00°04'24" W along the West line of said SE/4 a distance of 207.10 feet to the POINT OF BEGINNING;

Thence S 17°08'03" E a distance of 85.88 feet;

Thence S 08°54'06" E a distance of 75.25 feet;

Thence S 48°14'34" E a distance of 116.12 feet;

Thence S 17°23'32" E a distance of 32.97 feet;

Thence S 03°16'21" E a distance of 138.99 feet;

Thence S 20°45'13" W a distance of 48.18 feet;

Thence S 05°48'42" E a distance of 45.75 feet;

Thence S 84°11'18" W a distance of 128.92 feet;

Thence N 05°48'42" W a distance of 260.00 feet;

Thence N 04°51'04" W a distance of 149.91 feet;

Thence N 00°36'23" W a distance of 113.94 feet;

Thence N 89°23'41" E a distance of 35.00 feet;

Thence S 17°08'03" E a distance of 15.44 feet to the POINT OF BEGINNING.

Containing 57,683 Square Feet, or 1.32 acres, more or less.

Pipeline Easement 3

A tract of land situated in the Southwest Quarter (SW/4) of Section 30, Township 1 North, Range 11 West of the I.M., Comanche county, Oklahoma, said tract being more particularly described as follows:

Basis of bearing for this description is the East line of said SE/4, assumed to bear S 00°09'42" W, and monumented by a found 2" aluminum cap at the Northeast corner of said SE/4 of Section 30 and a found cut 'X' at the Southeast corner of said SE/4 of Section 30;

Commencing at the Northeast corner of said SW/4;

Thence S 00°04'24" W along the East line of said SW/4 a distance of 420.15 feet;

Thence N 89°55'36" W a distance of 31.22 feet to the POINT OF BEGINNING;

Thence S 05°48'42" E a distance of 54.37 feet;
Thence S 15°46'16" W a distance of 951.93 feet;
Thence N 74°13'44" W a distance of 20.00 feet;
Thence N 15°46'16" E a distance of 1,002.49 feet to the POINT OF BEGINNING.
Containing 19,544 Square Feet, or 0.45 acres, more or less.

Pipeline Easement 4

A tract of land situated in the Southeast Quarter (SE/4) of Section 30, Township 1 North, Range 11 West of the I.M., Comanche county, Oklahoma, said tract being more particularly described as follows:

Basis of bearing for this description is the East line of said SE/4, assumed to bear S 00°09'42" W, and monumented by a found 2" aluminum cap at the Northeast corner of said SE/4 of Section 30 and a found cut 'X' at the Southeast corner of said SE/4 of Section 30;

Commencing at the Northwest corner of said SE/4;

Thence S 89°31'05" E along the North line of said SE/4 a distance of 145.15 feet;

Thence S 00°28'55" W a distance of 612.78 feet to the POINT OF BEGINNING;

Thence S 10°34'32" E a distance of 471.24 feet;

Thence S 21°00'13" W a distance of 86.46 feet;

Thence S 09°59'16" E a distance of 902.98 feet;

Thence S 29°56'01" W a distance of 194.83 feet;

Thence N 60°03'59" W a distance of 20.00 feet;

Thence N 29°56'01" E a distance of 187.57 feet;

Thence N 09°59'16" W a distance of 901.26 feet;

Thence N 21°00'13" E a distance of 86.35 feet;

Thence N 10°34'32" W a distance of 432.73 feet;

Thence N 20°45'13" E a distance of 38.46 feet to the POINT OF BEGINNING.

Containing 32,634 Square Feet, or 0.75 acres, more or less.

Access Road Easement

A 20 foot Ingress/Egress access easement, 10 feet either side of a centerline situated in the Southwest Quarter (SW/4) and the Southeast Quarter (SE/4) of Section 30, Township 1 North, Range 11 West of the I.M., Comanche county, Oklahoma, said centerline being more particularly described as follows:

Basis of bearing for this description is the East line of said SE/4, assumed to bear S 00°09'42" W, and monumented by a found 2" aluminum cap at the Northeast corner of said SE/4 of Section 30 and a found cut 'X' at the Southeast corner of said SE/4 of Section 30;

Commencing at the Northwest corner of said SW/4;

Thence S 00°07'42" W along the West line of said SW/4 a distance of 506.33 feet;

Thence S 89°52'18" E a distance of 80.24 feet to the PLACE of BEGINNING;

Thence N 30°16'53" E a distance of 226.04 feet;

Thence N 38°23'07" E a distance of 240.13 feet to the beginning of a non-tangent curve to the right;

Thence 220.28 feet along the arc of said non-tangent curve to the right, having a radius of 242.00 feet, the long chord of which bears N 64°27'43" E, 212.75 feet;

Thence S 89°54'01" E a distance of 570.10 feet;

Thence S 88°31'48" E a distance of 671.86 feet;

Thence S 89°46'24" E a distance of 779.88 feet to the beginning of a tangent curve to the right;

Thence 111.39 feet along the arc of said tangent curve to the right, having a radius of 95.00 feet, the long chord of which bears S 55°07'43" E, 105.12 feet;

Thence S 21°32'20" E a distance of 354.76 feet to the beginning of a tangent curve to the left;

Thence 47.22 feet along the arc of said tangent curve to the left, having a radius of 90.00 feet, the long chord of which bears S 36°34'05" E, 46.68 feet to the beginning of a tangent curve to the right;

Thence 118.52 feet along the arc of said tangent curve to the right, having a radius of 70.00 feet, the long chord of which bears S 03°05'39" E, 104.86 feet to the beginning of a tangent curve to the left;

Thence 68.19 feet along the arc of said tangent curve to the left, having a radius of 70.00 feet, the long chord of which bears S 17°30'10" W, 65.52 feet;

Thence S 10°24'13" E a distance of 384.08 feet to the beginning of a tangent curve to the right;

Thence 59.02 feet along the arc of said tangent curve to the right, having a radius of 70.00 feet, the long chord of which bears S 13°45'09" W, 57.29 feet;

Thence S 37°54'31" W a distance of 22.40 feet to the TERMINATION POINT of described centerline.

POINT OF BEGINNING.

Length of centerline is 3,874.05 feet, more or less.

Temporary Easement 1

A tract of land situated in the Southwest Quarter (SW/4) of Section 30, Township 1 North, Range 11 West of the I.M., Comanche county, Oklahoma, said tract being more particularly described as follows:

Basis of bearing for this description is the East line of said SE/4, assumed to bear S 00°09'42" W, and monumented by a found 2" aluminum cap at the Northeast corner of said SE/4 of Section 30 and a found cut 'X' at the Southeast corner of said SE/4 of Section 30;

Commencing at the Northwest corner of said SW/4;

Thence S 89°32'30" E along the North line of said SW/4 a distance of 237.34 feet to the POINT OF BEGINNING;

Thence continuing S 89°32'30" E along said North line a distance of 223.97 feet;

Thence S 00°26'30" W a distance of 50.86 feet;

Thence S 36°27'22" W a distance of 568.88 feet;

Thence N 89°52'18" W a distance of 67.24 feet to a point on the East present right-of-way line of S. 11th Street;

Thence N 00°19'18" E along said East present right-of-way line a distance of 294.66 feet;

Thence S 89°52'18" E a distance of 179.57 feet;

Thence N 00°07'33" E a distance of 215.80 feet to the POINT OF BEGINNING.

Containing 89,875 Square Feet, or 2.06 acres, more or less.

Temporary Easement 2

A tract of land situated in the Southwest Quarter (SW/4) and the Southeast Quarter (SE/4) of Section 30, Township 1 North, Range 11 West of the I.M., Comanche county, Oklahoma, said tract being more particularly described as follows:

Basis of bearing for this description is the East line of said SE/4, assumed to bear S 00°09'42" W, and monumented by a found 2" aluminum cap at the Northeast corner of said SE/4 of Section 30 and a found cut 'X' at the Southeast corner of said SE/4 of Section 30;

Commencing at the Northeast corner of said SE/4;

Thence N 89°31'05" W along the North line of said SE/4 a distance of 33.00 feet to a point on the West statutory right-of-way line of S.W. Railroad Street;

Thence S 00°09'42" W along said West statutory right-of-way line a distance of 20.00 feet to the POINT OF BEGINNING;

Thence continuing S 00°09'42" W along said West statutory right-of-way line a distance of 20.00 feet;

Thence N 89°31'05" W a distance of 2,228.03 feet;

Thence S 88°12'22" W a distance of 372.98 feet to a point on the West line of said SE/4;

Thence N 89°23'01" W a distance of 392.79 feet;

Thence N 89°53'36" W a distance of 500.51 feet;
Thence N 89°22'07" W a distance of 499.90 feet;
Thence N 89°12'50" W a distance of 773.14 feet;
Thence N 00°24'59" E a distance of 20.00 feet;
Thence S 89°12'50" E a distance of 773.14 feet;
Thence S 89°22'07" E a distance of 499.90 feet;
Thence S 89°53'36" E a distance of 500.51 feet;
Thence S 89°23'01" E a distance of 392.67 feet to a point on the West line of said SE/4;
Thence N 88°12'25" E a distance of 373.10 feet;
Thence S 89°31'05" E a distance of 2,227.94 feet to the POINT OF BEGINNING.
Containing 95,342 Square Feet, or 2.19 acres, more or less.

Temporary Easement 3

A tract of land situated in the Southwest Quarter (SW/4) and the Southeast Quarter (SE/4) of Section 30, Township 1 North, Range 11 West of the I.M., Comanche county, Oklahoma, said tract being more particularly described as follows:

Basis of bearing for this description is the East line of said SE/4, assumed to bear S 00°09'42" W, and monumented by a found 2" aluminum cap at the Northeast corner of said SE/4 of Section 30 and a found cut 'X' at the Southeast corner of said SE/4 of Section 30;

Beginning at the Northwest corner of said SE/4, thence S 89°31'05" E along the North line of said SE/4 a distance of 400.00 feet;

Thence S 00°04'24" W a distance of 2,215.00 feet;

Thence N 89°55'36" W a distance of 252.50 feet;

Thence N 00°04'24" E a distance of 971.04 feet;

Thence N 44°55'36" W a distance of 350.00 feet;

Thence N 00°04'24" E a distance of 1,000.00 feet to a point on the North line of the SW/4;

Thence S 89°32'30" E along said North line a distance of 100.00 feet to the PLACE OF BEGINNING.

Containing 837,417 Square Feet, or 19.22 acres, more or less.

Temporary Easement 4

A tract of land situated in the Southwest Quarter (SW/4) of Section 30, Township 1 North, Range 11 West of the I.M., Comanche county, Oklahoma, said tract being more particularly described as follows:

Basis of bearing for this description is the East line of said SE/4, assumed to bear S 00°09'42" W, and monumented by a found 2" aluminum cap at the Northeast corner of said SE/4 of Section 30 and a found cut 'X' at the Southeast corner of said SE/4 of Section 30;

Commencing at the Northeast corner of said SW/4;

Thence S 00°04'24" W along the East line of said SW/4 a distance of 420.15 feet;

Thence N 89°55'36" W a distance of 31.22 feet to the POINT OF BEGINNING;

Thence S 15°46'16" W a distance of 1,002.49 feet;

Thence N 74°13'44" W a distance of 20.00 feet;

Thence N 15°46'16" E a distance of 1,053.05 feet;

Thence S 05°48'42" E a distance of 54.37 feet to the POINT OF BEGINNING.

Containing 20,555 Square Feet, or 0.47 acres, more or less.

Utility Easement

A tract of land situated in the Southwest Quarter (SW/4) and the Southeast Quarter (SE/4) of Section 30, Township 1 North, Range 11 West of the I.M., Comanche County, Oklahoma, said tract being more particularly described as follows:

Basis of bearing for this description is the North line of said SE/4, assumed to bear N 89°31'05" W, and monumented by a found 2" aluminum cap at the Northeast corner of said SE/4 of Section 30 and a found aluminum cap at the Northwest corner of said SE/4 of Section 30;

Commencing at the Northeast corner of said SE/4; Thence N 89°31'05" W along the North line of said SE/4 a distance of 2,549.06 feet; Thence S 00°28'55" W a distance of 435.46 feet to THE POINT OF BEGINNING;

Thence S 04°56'16" E a distance of 20.00 feet;

Thence S 85°03'44" W a distance of 129.29 feet;

Thence S 77°04'03" W a distance of 304.31 feet;

Thence N $12^{\circ}55'57''$ W a distance of 20.00 feet;

Thence N $77^{\circ}04'03''$ E a distance of 305.71 feet;

Thence N $85^{\circ}03'44''$ E a distance of 130.69 feet to THE POINT OF BEGINNING.

Containing 8,700 Square Feet, or 0.20 acres, more or less.

