

STATE OF TEXAS

COUNTY OF EL PASO

**ADDENDUM 1
TO TERMS AND CONDITIONS OF SALE**

This Addendum is entered by and between the County of El Paso, a political subdivision of the State of Texas (“County”), and The Will-Burt Company (“Vendor”), each a “Party” and collectively the “Parties”. The following provisions are added by agreement of the parties. To the extent that any provisions in the Vendor’s Terms and Conditions of Sale conflict with the provisions of this Addendum, this Addendum shall control. Vendor’s Quote WB-20240422_32013463, Vendor’s Terms and Conditions of Sale, and this Addendum comprise the entire agreement (hereafter “Agreement”) between the Parties. This Agreement is effective as of the date executed by both parties.

1. **GOVERNING LAW.** This Agreement shall be governed by the laws of the State of Texas. Venue shall be in El Paso County, Texas, and Texas statute of limitations provisions shall apply.

2. **ENTIRE AGREEMENT.** All other terms and conditions of the Terms and Conditions of Sale remain the same and together with this Addendum comprise the entire Agreement between the Parties. If any part of this Addendum is invalid, illegal, or unenforceable, the rest of the Addendum and the Terms and Conditions of Sale will remain in effect. This Addendum does not confer any benefits on any third party unless it expressly states that it does. Headings and captions used in the Addendum are for reference purposes only and will not have any effect on the interpretation of the Addendum. The terms and conditions of this Addendum and of the Terms and Conditions of Sale may only be modified in writing and must be signed by Vendor and County.

(SIGNATURES ON NEXT PAGE)

IN WITNESS WHEREOF, the Parties have executed this Addendum on the dates indicated below.

EL PASO COUNTY, TEXAS

Ricardo A. Samaniego, County Judge

Date

THE WILL-BURT COMPANY

The Will-Burt Company Representative

August 15, 2024

Date