



Mayor Dedrick Johnson
City of Texas City
1801 9th Avenue N, Texas City, Texas 77590

December 18, 2024

Kenneth A. Koye, Chief Executive Officer
Gulf Coast Ammonia LLC
9805 Katy Freeway, Suite 400, Houston, Texas 77024

Re: Waiver of Right to Terminate for Failure to Place Improvements in Service

Dear Kenneth,

We write in reference to the Chapter 312 Tax Abatement Agreement between The City of Texas City (the “**City**”), and Gulf Coast Ammonia LLC, hereinafter referred to as the “**Company**” and the Tax Abatement Agreement hereinafter referred to as the “**312 Agreement**.”

We understand that construction of the Improvements (as defined in the 312 Agreement) commenced within the required time period under the agreement and has continued since that time. We also understand that the Improvements are mechanically complete and will soon be placed in service. As a result, Company has constructed Improvements with a value of at least \$450,000,000 and created at least 40 full-time jobs.

The City further acknowledges that this waiver will not negatively impact the City, as the Company will continue to make payment to the City in accordance with 380 Economic Development and Performance Agreement executed by the City on December 16, 2019, as well as annual contributions to the Cultural Arts Foundation executed on April 3, 2020.

Given the foregoing, in accordance with Section 16.6 of the 312 Agreement, the City waives until December 31, 2025 any default on the part of Company (as defined in the 312 Agreement) that has occurred, may occur or will occur, or any right to terminate the 312 Agreement that the City has, may have or will have, in either case, as a result of the failure of Company to complete construction of the Improvements or place the Improvements in service by December 31, 2024 or otherwise.

“the place where COMMUNITY MATTERS”

Please let us know of any questions, or if we can be of further assistance.

Sincerely,

Mayor Dedrick D. Johnson

CC:

Air Products Industrial Gas LLC
Attn: Sean D. Major – Secretary
7201 Hamilton Boulevard
Allentown, PA 18195-1501