

EXHIBIT

"A"

**THIRD AMENDMENT TO THE
WASTEWATER SERVICE AGREEMENT
BETWEEN THE
CITY OF ROUND ROCK
AND
BRUSHY CREEK MUNICIPAL UTILITY DISTRICT**

THIS THIRD AMENDMENT TO THE WASTEWATER SERVICE AGREEMENT BETWEEN THE CITY OF ROUND ROCK AND BRUSHY CREEK MUNICIPAL UTILITY DISTRICT (the "First Amendment") is dated and entered into as of the ____ day of _____, _____, by and between the City of Round Rock, Texas ("Round Rock") a home-rule municipality (the "City") and Brushy Creek Municipal Utility District, (the "District").

RECITALS

WHEREAS, Round Rock and the District have entered into that certain Wastewater Service Agreement Between the City of Round Rock and Brushy Creek Municipal Utility District, (the "Agreement") executed the 30th day of October, 2009; and

WHEREAS, Exhibit "A" to the Agreement sets forth the debt service payments to be made by the District to Round Rock for the purposes of the District Capital Charge; and

WHEREAS, the District and Round Rock previously entered into that certain First Amendment to Wastewater Service Agreement Between the City of Round Rock and Brushy Creek Municipal Utility District dated as of July 28, 2016 in order to amend the District Capital Charge set forth in Exhibit "A" to the Agreement in connection with Round Rock's refunding of approximately \$35,000,000 in Utility System Revenue Bonds; and

WHEREAS, the District and Round Rock previously entered into that certain Second Amendment to Wastewater Service Agreement Between the City of Round Rock and Brushy Creek Municipal Utility District dated as of September 13, 2018 in order to amend the District Capital Charge set forth in Exhibit "A" to the Agreement in connection with Round Rock's refunding of approximately \$32,000,000 in Utility System Revenue Bonds; and

WHEREAS, the Agreement provides for the District to fund its share of Required Improvements; and

WHEREAS, the permit issued by the Texas Commission on Environmental Quality ("TCEQ") requires the System to be improved in order to treat wastewater to a higher standard; and

WHEREAS, Required Improvements to the System are currently under construction which will meet the requirements of TCEQ; and

WHEREAS, pursuant to §6.09(a)(iv) of the Agreement, the District has elected to not pay cash for its share of the cost of the Required Improvements; and

WHEREAS, Round Rock has agreed to pay the District's share of the cost of the Required Improvements on condition that Round Rock recover its cost, plus interest from the District, in the form of a Required Improvements Charge;

NOW, THEREFORE, in consideration of the mutual covenants and agreements herein contained, the sufficiency of which are hereby conclusively acknowledged, and subject to the terms and conditions hereinafter set forth, Round Rock and the District mutually agree to approve this Third Amendment, which shall read as follows:

ARTICLE 1

DEFINITIONS

Section 1.1 All terms used herein shall have the meanings assigned to them in the Agreement, unless the context clearly requires otherwise.

“TCEQ Required Improvements” means the improvements required by the TCEQ to enable the System to treat the wastewater to a higher standard as required by the permit issued by TCEQ. The TCEQ Required Improvements meet the definition of a “Required Improvement” in the Agreement.

ARTICLE II

DISTRICT'S CONSENT

Section 2.1 Pursuant to §6.09(a)(iv) of the Agreement, the District hereby acknowledges that it has previously consented to the construction of the TCEQ Required Improvements.

ARTICLE III

REQUIRED IMPROVEMENTS CHARGE

Section 3.1 Pursuant to §6.09(a)(iv) of the Agreement, the District elects to not pay cash for its share of the construction cost of the TCEQ Required Improvements. Round Rock has elected to not issue additional debt for the District's share of the costs, but has elected to pay cash. Accordingly, the District and Round Rock have agreed to amend Exhibit A of the Agreement, as previously amended, to add the District's share of costs of the TCEQ Required Improvements as a Required Improvements Charge to its schedule of debt owed to Round Rock. Round Rock represents that the District's share of such costs has been calculated based on the District's Reserved Capacity, relative to the total capacity, of the System Components being improved in accordance with the requirements of Section 6.09(a)(iv) of the Agreement.

ARTICLE IV
AMENDED EXHIBIT A

Section 4.1 The document marked “Exhibit A”, entitled “**City of Round Rock Texas, 2016 Refunding, 2017 Refunding, and 2021 Required Improvements Charge for Brushy Creek MUD Portion Only,**” attached to and incorporated herein replaces the previous “Exhibit A” attached to the Agreement. Everywhere the Agreement refers to “Exhibit A,” it is agreed that henceforth it will be understood to refer to the attached “Exhibit A”.

ARTICLE V
MISCELLANEOUS

Section 5.1 To the extent necessary to effect the terms and provisions of this Third Amendment, the Agreement is hereby amended and modified. In all other respects, the aforesaid Agreement, as previously amended, is hereby ratified and confirmed.

Section 5.2 This Third Amendment may be executed in counterparts, each of which shall be an original and all of which together shall constitute but one and the same instrument.

IN WITNESS WHEREOF, the parties hereto acting under authority of their respective governing bodies have caused this Third Amendment to be duly executed as of the day and year first above written.

BRUSHY CREEK MUNICIPAL UTILITY DISTRICT

By: _____,
_____, President

Attest:

By: _____
_____, Secretary

CITY OF ROUND ROCK, TEXAS

By: _____
Craig Morgan, Mayor

Attest:

By: _____
Meagan Spinks, City Clerk

Exhibit A
(On the following pages)

“City of Round Rock Texas, 2016 Refunding, 2017 Refunding, and 2021 Required
Improvements Charge for Brushy Creek MUD Portion Only”

City of Round Rock, Texas

\$35,185,000 Utility System Revenue Refunding Bonds, Series 2016

Brushy Creek MUD Portion

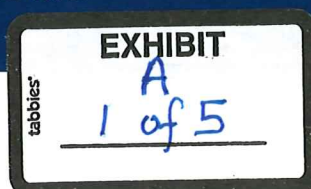
Debt Service Schedule

Part 1 of 2

Date	Principal	Interest	Total P+I	Fiscal Total
09/30/2021	-	-	-	-
02/01/2022	-	53,062.50	53,062.50	-
08/01/2022	-	53,062.50	53,062.50	-
09/30/2022	-	-	-	106,125.00
02/01/2023	-	53,062.50	53,062.50	-
08/01/2023	-	53,062.50	53,062.50	-
09/30/2023	-	-	-	106,125.00
02/01/2024	-	53,062.50	53,062.50	-
08/01/2024	-	53,062.50	53,062.50	-
09/30/2024	-	-	-	106,125.00
02/01/2025	-	53,062.50	53,062.50	-
08/01/2025	230,000.00	53,062.50	283,062.50	-
09/30/2025	-	-	-	336,125.00
02/01/2026	-	47,312.50	47,312.50	-
08/01/2026	245,000.00	47,312.50	292,312.50	-
09/30/2026	-	-	-	339,625.00
02/01/2027	-	41,187.50	41,187.50	-
08/01/2027	255,000.00	41,187.50	296,187.50	-
09/30/2027	-	-	-	337,375.00
02/01/2028	-	38,000.00	38,000.00	-
08/01/2028	260,000.00	38,000.00	298,000.00	-
09/30/2028	-	-	-	336,000.00
02/01/2029	-	34,750.00	34,750.00	-
08/01/2029	265,000.00	34,750.00	299,750.00	-
09/30/2029	-	-	-	334,500.00
02/01/2030	-	31,106.25	31,106.25	-
08/01/2030	275,000.00	31,106.25	306,106.25	-
09/30/2030	-	-	-	337,212.50
02/01/2031	-	27,325.00	27,325.00	-
08/01/2031	285,000.00	27,325.00	312,325.00	-
09/30/2031	-	-	-	339,650.00
02/01/2032	-	23,050.00	23,050.00	-
08/01/2032	290,000.00	23,050.00	313,050.00	-
09/30/2032	-	-	-	336,100.00
02/01/2033	-	18,700.00	18,700.00	-
08/01/2033	300,000.00	18,700.00	318,700.00	-
09/30/2033	-	-	-	337,400.00
02/01/2034	-	12,700.00	12,700.00	-
08/01/2034	310,000.00	12,700.00	322,700.00	-
09/30/2034	-	-	-	335,400.00

Aggregate | 10/14/2021 | 5:27 PM

Specialized Public Finance Inc.
Austin, Texas



City of Round Rock, Texas

\$35,185,000 Utility System Revenue Refunding Bonds, Series 2016

Brushy Creek MUD Portion

Debt Service Schedule

Part 2 of 2

Date	Principal	Interest	Total P+I	Fiscal Total
02/01/2035	-	6,500.00	6,500.00	-
08/01/2035	325,000.00	6,500.00	331,500.00	-
09/30/2035	-	-	-	338,000.00
Total	\$3,040,000.00	\$985,762.50	\$4,025,762.50	-

Yield Statistics

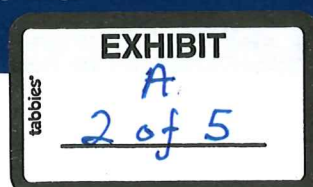
Base date for Avg. Life & Avg. Coupon Calculations	9/01/2018
Average Life	12.229 Years
Average Coupon	3.4841578%

Par Amounts Of Selected Issues

2016 Utility Rev Ref (6/6) mud totals -Brushy Creek MUD	3,040,000.00
TOTAL	3,040,000.00

Aggregate | 10/14/2021 | 5:27 PM

Specialized Public Finance Inc.
Austin, Texas



City of Round Rock, Texas

\$32,785,000 Utility System Revenue Refunding Bonds, Series 2017

Brushy Creek MUD Portion

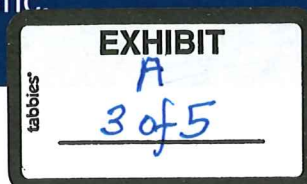
Debt Service Schedule

Part 1 of 2

Date	Principal	Interest	Total P+I	Fiscal Total
09/30/2021	-	-	-	-
02/01/2022	-	44,387.50	44,387.50	-
08/01/2022	180,000.00	44,387.50	224,387.50	-
09/30/2022	-	-	-	268,775.00
02/01/2023	-	39,887.50	39,887.50	-
08/01/2023	185,000.00	39,887.50	224,887.50	-
09/30/2023	-	-	-	264,775.00
02/01/2024	-	35,262.50	35,262.50	-
08/01/2024	195,000.00	35,262.50	230,262.50	-
09/30/2024	-	-	-	265,525.00
02/01/2025	-	30,387.50	30,387.50	-
08/01/2025	-	30,387.50	30,387.50	-
09/30/2025	-	-	-	60,775.00
02/01/2026	-	30,387.50	30,387.50	-
08/01/2026	-	30,387.50	30,387.50	-
09/30/2026	-	-	-	60,775.00
02/01/2027	-	30,387.50	30,387.50	-
08/01/2027	-	30,387.50	30,387.50	-
09/30/2027	-	-	-	60,775.00
02/01/2028	-	30,387.50	30,387.50	-
08/01/2028	-	30,387.50	30,387.50	-
09/30/2028	-	-	-	60,775.00
02/01/2029	-	30,387.50	30,387.50	-
08/01/2029	-	30,387.50	30,387.50	-
09/30/2029	-	-	-	60,775.00
02/01/2030	-	30,387.50	30,387.50	-
08/01/2030	-	30,387.50	30,387.50	-
09/30/2030	-	-	-	60,775.00
02/01/2031	-	30,387.50	30,387.50	-
08/01/2031	-	30,387.50	30,387.50	-
09/30/2031	-	-	-	60,775.00
02/01/2032	-	30,387.50	30,387.50	-
08/01/2032	-	30,387.50	30,387.50	-
09/30/2032	-	-	-	60,775.00
02/01/2033	-	30,387.50	30,387.50	-
08/01/2033	-	30,387.50	30,387.50	-
09/30/2033	-	-	-	60,775.00
02/01/2034	-	30,387.50	30,387.50	-
08/01/2034	-	30,387.50	30,387.50	-
09/30/2034	-	-	-	60,775.00

Aggregate | 10/14/2021 | 5:29 PM

Specialized Public Finance Inc.
Austin, Texas



City of Round Rock, Texas

\$32,785,000 Utility System Revenue Refunding Bonds, Series 2017

Brushy Creek MUD Portion

Debt Service Schedule

Part 2 of 2

Date	Principal	Interest	Total P+I	Fiscal Total
02/01/2035	-	30,387.50	30,387.50	-
08/01/2035	-	30,387.50	30,387.50	-
09/30/2035	-	-	-	60,775.00
02/01/2036	-	30,387.50	30,387.50	-
08/01/2036	335,000.00	30,387.50	365,387.50	-
09/30/2036	-	-	-	395,775.00
02/01/2037	-	23,268.75	23,268.75	-
08/01/2037	350,000.00	23,268.75	373,268.75	-
09/30/2037	-	-	-	396,537.50
02/01/2038	-	15,831.25	15,831.25	-
08/01/2038	365,000.00	15,831.25	380,831.25	-
09/30/2038	-	-	-	396,662.50
02/01/2039	-	8,075.00	8,075.00	-
08/01/2039	380,000.00	8,075.00	388,075.00	-
09/30/2039	-	-	-	396,150.00
Total	\$1,990,000.00	\$1,062,725.00	\$3,052,725.00	-

Yield Statistics

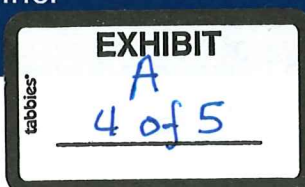
Base date for Avg. Life & Avg. Coupon Calculations	9/01/2018
Average Life	14.400 Years
Average Coupon	4.3287052%

Par Amounts Of Selected Issues

2017 Utility Rev Ref allocation as of 9/30/20 -Brushy Creek MUD	1,990,000.00
TOTAL	1,990,000.00

Aggregate | 10/14/2021 | 5:29 PM

Specialized Public Finance Inc.
Austin, Texas



Brushy Creek Municipal Utility District

\$1,355,000 East Plant Project Obligation, Series 2021

Preliminary

Debt Service Schedule

Date	Principal	Coupon	Interest	Total P+I	Fiscal Total
02/01/2021	-	-	-	-	-
08/01/2021	-	-	5,758.75	5,758.75	-
09/30/2021	-	-	-	-	5,758.75
02/01/2022	130,000.00	0.850%	5,758.75	135,758.75	-
08/01/2022	-	-	5,206.25	5,206.25	-
09/30/2022	-	-	-	-	140,965.00
02/01/2023	130,000.00	0.850%	5,206.25	135,206.25	-
08/01/2023	-	-	4,653.75	4,653.75	-
09/30/2023	-	-	-	-	139,860.00
02/01/2024	135,000.00	0.850%	4,653.75	139,653.75	-
08/01/2024	-	-	4,080.00	4,080.00	-
09/30/2024	-	-	-	-	143,733.75
02/01/2025	135,000.00	0.850%	4,080.00	139,080.00	-
08/01/2025	-	-	3,506.25	3,506.25	-
09/30/2025	-	-	-	-	142,586.25
02/01/2026	135,000.00	0.850%	3,506.25	138,506.25	-
08/01/2026	-	-	2,932.50	2,932.50	-
09/30/2026	-	-	-	-	141,438.75
02/01/2027	135,000.00	0.850%	2,932.50	137,932.50	-
08/01/2027	-	-	2,358.75	2,358.75	-
09/30/2027	-	-	-	-	140,291.25
02/01/2028	135,000.00	0.850%	2,358.75	137,358.75	-
08/01/2028	-	-	1,785.00	1,785.00	-
09/30/2028	-	-	-	-	139,143.75
02/01/2029	140,000.00	0.850%	1,785.00	141,785.00	-
08/01/2029	-	-	1,190.00	1,190.00	-
09/30/2029	-	-	-	-	142,975.00
02/01/2030	140,000.00	0.850%	1,190.00	141,190.00	-
08/01/2030	-	-	595.00	595.00	-
09/30/2030	-	-	-	-	141,785.00
02/01/2031	140,000.00	0.850%	595.00	140,595.00	-
09/30/2031	-	-	-	-	140,595.00
Total	\$1,355,000.00	-	\$64,132.50	\$1,419,132.50	-

Yield Statistics

Bond Year Dollars	\$7,545.00
Average Life	5.568 Years
Average Coupon	0.8500000%
Net Interest Cost (NIC)	0.8500000%
True Interest Cost (TIC)	0.8500000%
Bond Yield for Arbitrage Purposes	0.8500000%
All Inclusive Cost (AIC)	0.8500000%

IRS Form 8038

Net Interest Cost	0.8500000%
Weighted Average Maturity	5.568 Years

21 East Plant Project (10 | SINGLE PURPOSE | 11/16/2020 | 9:36 AM