

Addendum #3

RFP#: LMF 5152025

Date: 6/10/2025

Subject: Notice of Potential Property Impact Due to Eminent Domain Proceedings

This addendum serves to notify all prospective proposers of an active legal and property development matter relevant to the project location described in RFP #LMF5152025.

Property and Project Site

The proposed project under this RFP is planned for development at **5882 Hwy 59 N, Lufkin, TX 75904**.

Condemnation Proceeding Notification

Oncor Electric Delivery Company LLC has initiated a condemnation proceeding affecting the Project Site in Cause No. 048-25-CV; *Oncor Electric Delivery Company LLC v. Brazos Transit District*; in the County Court at Law No. 2, Angelina County, Texas. Oncor seeks a perpetual, non-exclusive easement and right-of-way over a portion of the Project Site for public utility purposes.

Proposer Guidance and Risk Acknowledgement

All proposers must take the following into consideration:

1. **Potential Legal or Access Restrictions:** The outcome of the condemnation proceeding could affect site access, usable acreage, or project phasing.
2. **Risk Planning:** Proposals should include a brief statement acknowledging awareness of the condemnation proceeding and provide any available strategies or contingencies that could be deployed in the event that litigation impacts project execution.
3. **BTD Rights Reserved:** BTD reserves the right to:
 - o Adjust the project schedule;
 - o Modify the scope or configuration of the project;
 - o Cancel or reissue the RFP, if the outcome of the proceedings renders the original plan infeasible.

No Change to Proposal Due Date

At this time, **the proposal due date remains unchanged**. Any future updates or changes resulting from this situation will be communicated via formal addendum.

All other terms and conditions of RFP #LMF5152025 remain in full effect.