



Texas Department of Transportation

DEWITT C. GREER STATE HIGHWAY BLDG. • 125 E. 11TH STREET • AUSTIN, TEXAS 78701-2483 • (512) 463-8585

December 21, 2009

Mr. Jose Labarra
SH 130 Concession Company, LLC
7700 Chevy Chase Drive
Chase Park One, Suite 350
Austin, Texas 78752-1562

RE: FCA Amendment No. 7: Amendment to Section 21.5 of Book 2 – Technical Requirements of the FCA

Dear Mr. Labarra:

This letter is being delivered to you in order to amend the Facility Concession Agreement for the SH 130, Segments 5 & 6 (FCA) dated March 22, 2007, between the Texas Department of Transportation (TxDOT) and SH 130 Concession Company, LLC (Developer). Initially capitalized terms not otherwise defined in this letter have the meanings given those terms in the FCA.

For good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, TxDOT and the Developer agree that:

1. Section 21.5 of Book 2 – Technical Requirements of the FCA is amended to read as set forth in Attachment 1 to this letter.
2. As hereby amended, the FCA is in full force and effect.

Please indicate Developer's agreement with the foregoing by signing both copies of this letter in the space provided. Return one executed original to Ben Engelhardt at 2028 Highway 46 North, Seguin, Texas 78155. If you have any questions, please contact Ben Engelhardt at (830) 303-0130.

This letter may be signed in two or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument.

Sincerely,

Steven E. Simmons, P.E.
Deputy Executive Director

Attachments:

Attachment 1 - Section 21.5 of Book 2

Mr. Jose Labarra

-2-

December 21, 2009

cc: Don Toner, SRWA, Texas Turnpike Authority Division, TxDOT
Ted West, Federal Highway Administration
Frank P. Holzmann, P.E., San Antonio District, TxDOT

ACCEPTED AND AGREED TO
THIS 19th DAY OF JANUARY 2010

SH 130 CONCESSION COMPANY, LLC

By:  _____

Name: Jose Labarra
Title: Chief Executive Officer

ATTACHMENT 1
Section 21.5 of Book 2
FCA Amendment No. 7

"21.5 Advance Toll Information Signs

Developer shall design, install, operate and maintain advance toll information signs in accordance with the FCA Documents.

Developer shall submit to TxDOT for review and approval, no later than 90 Days before start of Facility construction, a layout of the Facility identifying the proposed locations and details (including proposed wording) of all advance toll information signs.

Advance Toll Advisory Signs

Advance toll signs advising Users of the approaching toll road shall be located to provide maximum visibility to Users and situated:

- At all RTF locations that provide User access to the Facility.
- Prior to all entrance ramps to the Facility.

Toll Rate Signs

Toll signs clearly setting forth toll rates for each User Classification shall be located not more than 6000 feet prior to each Tolling Zone within the Facility, and shall not be required at any other locations.

Developer shall consult with TxDOT and shall obtain graphic design of the current TxDOT logo or logos that Developer shall integrate into the design and fabrication of guide and trailblazer signs."