

**AMENDMENT NO. 20 TO  
FACILITY CONCESSION AGREEMENT  
SH 130, SEGMENTS 5 & 6 FACILITY**

THIS AMENDMENT NO. 20 TO FACILITY CONCESSION AGREEMENT (this "Amendment") is entered into and effective as of 6/27, 2017 between the Texas Department of Transportation, a public agency of the State of Texas ("TxDOT"), and SH 130 Concession Company, LLC, a Delaware limited liability company ("Developer"), with reference to the following facts:

A. TxDOT and Developer entered into that certain Facility Concession Agreement dated as of March 22, 2007 (as amended, the "FCA"), together with related agreements collectively referred to in the FCA as the "FCA Documents." All capitalized terms used but not defined herein shall have the meanings set forth in the FCA.

B. TxDOT and Developer desire to revise the description of certain monthly reports required from the Developer by amending Attachment 3 to the Technical Requirements (Book 2) of the FCA, as provided herein.

NOW, THEREFORE, for good and valuable consideration and the mutual covenants and agreements herein contained, the receipt and sufficiency of which are hereby acknowledged, the Developer and TxDOT hereby agree as follows:

1. Changes to FCA Technical Requirements (Book 2), Attachment 3 – Monthly, Quarterly and Annual Reporting Requirements. Attachment 3, Section 1: Monthly Report, Item 11 Noncompliance Points and Default, is hereby deleted in its entirety and replaced with the following:

11	<p><u>Breaches or Failures to Perform, and Noncompliance Points</u></p> <p>List of breaches or failures to perform, cured or uncured during the month; the number of breaches or failures to perform, cured or uncured in the preceding 12 months.</p> <p>List of assessed Noncompliance Points during the month; a record of the number of uncured Noncompliance Points at the end of the month; the number of Noncompliance Points assessed in the preceding 12 months and 36 months.</p>	<p><u>Articles 17 and 18 and Exhibits 1 and 20</u> of the Agreement</p>	T
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2. Effectiveness of FCA Documents. Except as specifically amended hereby, the provisions of the FCA Documents, as previously amended by Amendments 1 – 19, are hereby confirmed without change.

3. Binding Effect of Amendment. This Amendment is entered into pursuant to Section 24.3 of the FCA, and shall be valid, effective and enforceable.

4. Counterparts. This Amendment may be executed in multiple counterparts, each of which shall be fully effective as an original and all of which together shall constitute one and the same instrument.

IN WITNESS WHEREOF, the parties have caused this Amendment to be duly executed as of the day and year first above written.

**DEVELOPER:**

**SH 130 CONCESSION COMPANY, LLC**

By:   
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Alfonso Ord  
Chief Executive Officer

**TxDOT:**

**TEXAS DEPARTMENT OF  
TRANSPORTATION**

By:   
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JAMES M. BASS  
Executive Director