

STATE OF TEXAS §

COUNTY OF TRAVIS §

**AMENDMENT
TO
PASS-THROUGH AGREEMENT FOR PAYMENT
OF PASS-THROUGH TOLLS BY THE DEPARTMENT**

Amendment No. 3

THIS AMENDMENT is made by and between the State of Texas, acting through the Texas Department of Transportation (the "Department"), and Titus County (the "Developer"), and becomes effective when fully executed by both parties.

BACKGROUND

The Department and the Developer executed a contract on September 5, 2007.

AGREEMENT

The Department and the Developer agree that the contract is amended as follows:

1. Description of Amended Items

Section 11, Maintenance, is deleted in its entirety and replaced with the following:

11. Maintenance

- a. The Department shall be responsible for maintenance of a Highway Improvement after substantial completion of the Highway Improvement and approval by the Department to open it to the public.
- b. If the parties agree to open a portion of a Highway Improvement prior to substantial completion of the entire Highway Improvement, the Department, at its sole discretion, may assume responsibility for the maintenance of that portion. The transfer of maintenance responsibility to the Department is effective upon written notification by the Department to the Developer.

All other terms and conditions of the above-numbered agreement not hereby amended remain in full force and effect.

2. Signatory Warranty

Each signatory warrants that the signatory has necessary authority to execute this agreement on behalf of the entity represented.

THIS AMENDMENT IS EXECUTED by the Department and the Developer in duplicate.

THE DEPARTMENT

THE DEVELOPER

Signature

Signature

James M. Bass
Interim Executive Director
Texas Department of Transportation

Typed or Printed Name and Title

Brian P. Lee
Titus County Judge

Typed or Printed Name and Title

Date

2-24-14

Date