

TEXAS TRANSPORTATION COMMISSION

DELTA AND LAMAR Counties

MINUTE ORDER

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PARIS District

On April 26, 2012, by Minute Order 113089, the Texas Transportation Commission (commission) granted preliminary approval of an application for financial assistance from the Sulphur River Regional Mobility Authority (RMA) to borrow an aggregate not to exceed \$4.5 million, in one or more loans, to pay the costs of right-of-way acquisition and utility relocation for the widening of State Highway 24 from Farm to Market 904 to Farm to Market 64 (project).

The RMA and the Texas Department of Transportation (department) have entered into a Master Advance Funding Agreement (MAFA) and Local Project Advance Funding Agreement (together with the MAFA, the AFA), pursuant to which the department will perform the work for the project, including right-of-way acquisition and utility relocation, and the RMA will pay 100% of the costs of right-of-way acquisition and utility relocation for the project.

The RMA intends to meet its payment obligations under the AFA by borrowing funds in two loans from the SIB and entering into an Interlocal Cooperative Agreement (interlocal agreement) with Delta County, Lamar County, the City of Cooper, the City of Paris, and the Paris Economic Development Corporation (participants). The RMA will make payments due on the SIB loans with funds provided to the RMA pursuant to the interlocal agreement by all participants with the exception of Delta County. Delta County will pay for its portion of the costs of right-of-way acquisition and utility relocation for the project by contributing cash upfront to the RMA that the RMA will provide to the department pursuant to the terms of the AFA.

Pursuant to the commission's preliminary approval, the executive director implemented and completed negotiations and other actions authorized and required by commission rules, and also hereby determines that the requirement to submit any information or data that was not submitted by the RMA is waived as permitted by commission rules either because the information or data is not relevant or the department already possesses the information or data. The executive director affirms that the necessary social, economic, and environmental impact studies have been completed, and that the department has approved those studies. The executive director recommends that the commission grant final approval of the SIB application for financial assistance.

The commission determines that providing financial assistance will protect the public safety and prudently provide for the protection of public funds, while furthering the purposes of the SIB; and that the project will provide for all reasonable and feasible measures to avoid, minimize, or mitigate for adverse environmental impacts.

Based on departmental review and analysis of the application, the commission makes the following findings: (1) the RMA has pledged repayment of the SIB loans with contract revenues to be received by the RMA pursuant to the interlocal agreement to assure likely repayment of the financial assistance; (2) the project is consistent with the Statewide Transportation Plan; (3) the project will improve the efficiency of the state's transportation systems; (4) the project will expand the availability of funding for transportation projects or reduce state costs; and (5) the application shows that the project and the applicant are likely to have sufficient revenues to assure repayment of the financial assistance.

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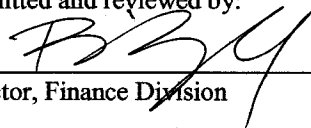
MINUTE ORDER

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PARIS District

IT IS THEREFORE ORDERED by the commission that the application for SIB financial assistance submitted by the RMA to borrow an aggregate amount up to \$4,428,039 from the State Infrastructure Bank is granted final approval. The executive director or his authorized representative is directed and authorized to enter into the financial assistance agreements as negotiated with the RMA. The loans will be repaid over a period of no more than 20 years at 3.68 percent interest per annum. The final maturity date will be June 29, 2032.

Submitted and reviewed by:



Director, Finance Division

Recommended by:



Executive Director

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Minute
Number

Date
Passed