



# Texas Department of Transportation

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

September 13, 2007

Mr. Jose Labarra  
Chief Executive Officer  
SH 130 Concession Company, LLC  
7700 Chevy Chase Drive, Suite 500B  
Austin, Texas 78752-1562

RE: SH 130, Segments 5 and 6 Facility –  
Horizontal Control Requirements and Design Exceptions

Dear Mr. Labarra:

This letter is being delivered to you in order to evidence our further agreements regarding the coordinate system to use to comply with the horizontal control requirements in the Facility Concession Agreement dated March 22, 2007, between the Texas Department of Transportation ("TxDOT") and SH 130 Concession Company, LLC (the "Developer") (the "FCA"). Capitalized terms not otherwise defined herein shall have the meaning given those terms in the FCA.

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

1. Sections 7.3.1, 9.2, and 9.5 of Book 2 (Technical Requirements) of the FCA Documents are amended to replace all references to "NAD83((HARN)(2002))" with "NAD83 (CORS EPOCH 2002.00)".
2. As hereby amended the FCA is in full force and effect.

If the foregoing correctly reflects your understanding of our mutual agreements, please so indicate your agreement to the foregoing by signing this letter in the place indicated below and returning four signed originals to the undersigned.

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.

Mr. Jose Labarra

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September 13, 2007

Sincerely,

Texas Department of Transportation

By: SES PE

Name: Steven E. Simmons, P.E.  
Title: Interim Executive Director

ACCEPTED AND AGREED TO  
THIS 20th DAY OF SEPTEMBER, 2007

SH 130 CONCESSION COMPANY, LLC

By: [Signature]

Name: Jose Labarra  
Title: Chief Executive Officer

By: Steve Smith

Name: Steve Smith  
Title: Vice President - Infrastructure