

AMENDMENT NO. 16 TO
FACILITY CONCESSION AGREEMENT
SH 130, SEGMENTS 5 & 6 FACILITY

THIS AMENDMENT NO.16 TO FACILITY CONCESSION AGREEMENT (this "Amendment") is entered into and effective as of 1 22, 2016 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 modify Developer's reporting requirements by amending Technical Requirements, Attachment 3, Table 1 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 7 Environmental, is hereby amended and corrected as follows:

(a) The third part of the Requirement identified for item 7, which reads "CAP compliance report for air quality during the ozone season between May 1 and September 30" is hereby deleted in its entirety.

(b) The third part of the Reference identified for item 7, which reads "Section 4.6 of the Technical Requirements" is hereby deleted in its entirety.

2. Effectiveness of FCA Documents. Except as specifically amended hereby, the provisions of the FCA Documents, as previously amended by Amendments 1 - 15, 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: _____

Alfonso Orozco
Chief Executive Officer

TxDOT:

TEXAS DEPARTMENT OF TRANSPORTATION

By: _____

James M. Bass
Executive Director