SPECIAL PROVISION
000--1251

Important Notice to Contractors

The Contractor’s attention is directed to the fact that there are right of way acquisitions and utility adjustments that have, as of January 15, 2008, not been completed. The State anticipates that all remaining utility adjustments and right of way acquisitions will be completed by the dates set out below. This should be sufficient time to prevent any undue delay to the Contractor’s normal operation. An extension of working time will be granted, if necessary, for delays caused by interference’s beyond the estimated dates of clearance.

For the Contractor’s information, the following is a list of outstanding right-of-way to be acquired. The Contractor is invited to review the outstanding right-of-way with the Area Engineer assigned to the project, and listed in the “Notice to Contractors”. A right-of-way map reflecting the location, etc., is on file with the Area Engineer.

OUTSTANDING RIGHT-OF-WAY TO BE ACQUIRED AND UTILITIES TO BE ADJUSTED

<table>
<thead>
<tr>
<th>PARCEL NUMBER</th>
<th>OWNER</th>
<th>EXPECTED DATE OF ACQUISITION</th>
</tr>
</thead>
<tbody>
<tr>
<td>4</td>
<td>POP Holdings, L.P.</td>
<td>January 20, 2008</td>
</tr>
<tr>
<td>6</td>
<td>Stanley V. Graff</td>
<td>June, 2008</td>
</tr>
<tr>
<td>9</td>
<td>The Reed Remington Graff 2004 Trust II</td>
<td>June, 2008</td>
</tr>
<tr>
<td>11</td>
<td>The Reed Remington Graff 2004 Trust II</td>
<td>June, 2008</td>
</tr>
<tr>
<td>12</td>
<td>Stanley V. Graff</td>
<td>June, 2008</td>
</tr>
<tr>
<td>14</td>
<td>Oakwood Village Apartments, Inc.</td>
<td>February, 2008</td>
</tr>
<tr>
<td>43</td>
<td>Covington Cameron Acquisition, LLC</td>
<td>May 15, 2008</td>
</tr>
<tr>
<td>44</td>
<td>Covington Cameron Acquisition, LLC</td>
<td>May 15, 2008</td>
</tr>
<tr>
<td>45</td>
<td>Affiliated Physicians Holdings, LP</td>
<td>May 15, 2008</td>
</tr>
</tbody>
</table>

The following utilities are to be adjusted by their owners and are expected to be completed by the dates shown.
<table>
<thead>
<tr>
<th>Utility Owner</th>
<th>Local Area</th>
<th>Location and or Station</th>
<th>Description</th>
<th>Estimated Date of Clearance</th>
<th>Effect on Construction</th>
</tr>
</thead>
</table>
| Atmos Energy          | Longitudinal Installations and Crossings | STA 867+25 to 877+00 150’ Lt  
STA 869+00 to 874+00 150’ Rt  
STA 900+00 to 911+00 150’ Lt  
STA 895+00 to 904+00 150’ Rt  
STA 890+00 Crossing  
STA 911+00 Crossing | Buried Gas Lines | June 15, 2008 | No effect with delayed start of 180 days |
| AT&T Texas (formerly SBC) | Longitudinal Installations and Crossings | STA 867+25 to 877+00 150’ Lt  
STA 869+00 to 874+00 150’ Rt  
STA 900+00 to 909+00 150’ Lt  
STA 895+00 to 904+00 150’ Rt  
STA 871+50 Crossing  
STA 886+00 Crossing  
STA 887+00 Crossing | Buried Communication Lines | October 1, 2008 (Date determined by verbal communication G&A and Utility) | No effect with delayed start of 180 days |
| AT&T Legacy (formerly pfNet) | Longitudinal Installations and Crossings | STA 867+25 to 877+00 150’ Lt  
STA 900+00 to 911+00 150’ Lt  | Buried Communication Lines | August 1, 2008 (Determined by verbal communication G&A and Utility) | No effect with delayed start of 180 days |
| City of McKinney      | Longitudinal Installations and Crossings | STA 867+25 to 877+00 145’ Lt  
STA 869+00 to 874+00 145’ Rt  
STA 900+00 to 913+00 145’ Lt  
STA 907+00 to 917+00 145’ Rt  
STA 864+50 Crossing  
STA 886+00 Crossing  
WW STA 864+75 Crossing  
WW STA 869+00 to 876+00 155’ Rt | Buried Water and Sewer Lines | September 14, 2008 | No effect with delayed start of 180 days |
| Grande Communications | Longitudinal Installations and Crossings | STA 867+25 to 877+00 150’ Lt  
STA 898+00 to 911+00 150’ Lt  | Buried Communication Lines | May 15, 2008 | No effect with delayed start of 180 days |
| Oncor Electric Delivery | Longitudinal Installations and Crossings | STA 867+25 to 877+00 160’ Lt  
STA 869+00 to 874+00 165’ Rt  (Buried)  
STA 899+00 to 917+50 160’ Lt  
STA 901+50 to 914+00 160’ Rt  
STA 885+00 Crossing  
STA 912+00 Crossing | Buried and Aerial Electric Lines | June 1, 2008 | No effect with delayed start of 180 days |
| Time Warner Cable     | Longitudinal Installations | STA 867+25 to 877+00 160’ Lt  
STA 899+00 to 917+50 160’ Lt  
STA 901+50 to 914+00 160’ Rt | Aerial Communication | July 15, 2008 | No effect with delayed start of 180 days |