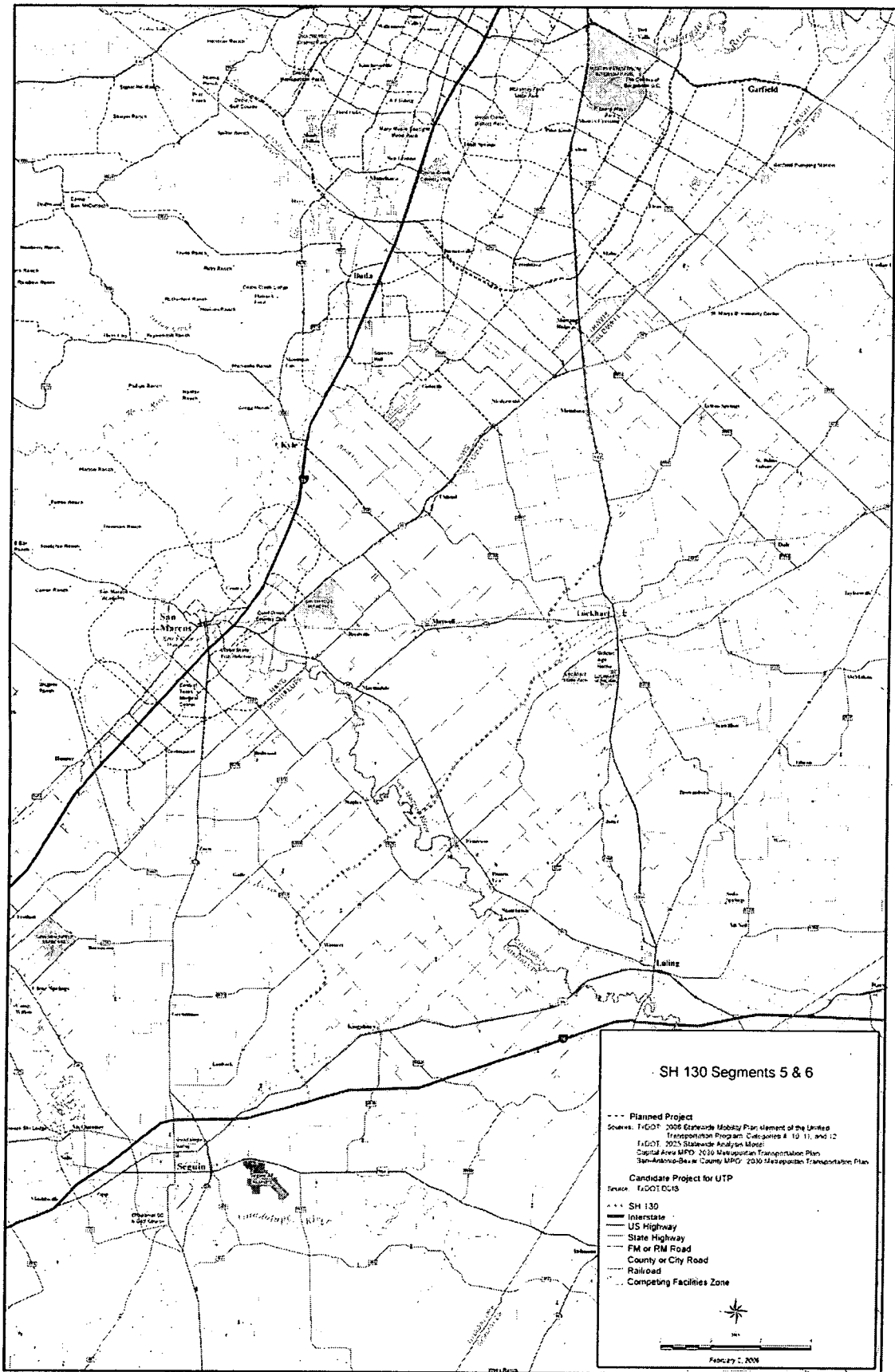


EXHIBIT 17

COMPETING FACILITIES PROVISIONS

Competing Facilities Zone

Competing Facilities exclude all highway projects located outside the following Competing Facilities Zone (see next page):



Long Range Transportation Plans and Programs

Competing Facilities exclude all highway projects included in any of the following long range transportation plans and programs:

1. 2006-2008 Statewide Transportation Improvement Program (STIP)
2. Unified Transportation Program (UTP) (2006)
 - a. 2006 Statewide Preservation Program (SPP)
 - b. 2006 Statewide Mobility Program (SMP)
3. Capital Area MPO Mobility 2030 Plan
4. San Antonio-Bexar County MPO Metropolitan Transportation Plan Mobility 2030

[All as in existence or in effect at the Effective Date]

Frontage Roads

Frontage roads are excluded from Competing Facilities, except that Competing Facilities include the addition of a third traffic lane in either direction to the frontage roads of the Facility in Segment 5:

Specific Exclusions

All portions of I-35, including those located within the Competing Facilities Zone, and any and all current and future modifications, expansions, extensions, additions, upgrades and other improvements thereof.