AMENDMENT NO. 9 TO
FACILITY CONCESSION AGREEMENT
SH 130, SEGMENTS 5 & 6 FACILITY

THIS AMENDMENT NO. 9 TO FACILITY CONCESSION AGREEMENT ("Amendment") is entered into and effective as of January 1, 2011 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 (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. The purpose of this amendment is to make certain corrections to Attachment 10 to the Book 2 Technical Requirements, as set forth below.

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

1. Amendment to Attachment 10 of Book 2 Technical Requirements. The color codes listed in Attachment 10 are hereby amended to reflect the following corrections, as further illustrated in Exhibit 1 attached hereto:

   Existing color code, Terracotta-Federal Standard I.D. No. 30252 is deleted and replaced with HC117 Silk Chocolate.

   Existing color code, Buff-Federal Standard I.D. No. 33711 is deleted and replaced with HC136 Aztec Sand.

2. Effectiveness of FCA Documents. Except as specifically amended hereby, the provisions of the FCA Documents, as previously amended by Amendments 1 - 8, 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:

Name: Javier Gutierrez
Title: Chief Executive Officer

TxDOT

TEXAS DEPARTMENT OF TRANSPORTATION

By:

Name: Steven E. Simmons
Title: Deputy Executive Director
EXHIBIT 1
ELEVATION ~ ROUND COLUMNS

- Smooth Concrete Recess - Sealed Terracotta
- Buff Sealer on Column (Top)
- Top of Drilled Shaft
- Finished Ground Line

ELEVATION ~ SQUARE COLUMNS

- Smooth Concrete Recess - Sealed Terracotta
- Custom Ashlar Stone Formliner Sealed Buff (Top)
- Top of Drilled Shaft
- Finished Ground Line

SECTION A-A
- Showing Round Column

SECTION B-B
- Showing Square Column

CUSTOM ASHLAR FORMLINER DETAIL

SECTION C-D
- All Column Flanges Sealed Buff

SECTION D-D
- All Column Flanges Sealed Buff

GENERAL NOTES:
1. Chamfer all exposed cap edges.
2. For Ashlar Stone Formliner details see Ashlar Formliner Sheet.
3. All Ashlar stone shall conform to the Federal Standard Color.
4. All Ashlar stone shall be applied to the concrete detail.
5. Buff shall not be applied to the concrete detail.

Terracotta-Federal Standard I.D. No. 30252 shall be replaced with HC117 Silk Chocolate.
Buff-Federal Standard I.D. No. 33711 shall be replaced with HC136 Aztec Sand.
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