

**GENERAL MEETING OF THE BOARD OF DIRECTORS
OF THE
CENTRAL TEXAS REGIONAL MOBILITY AUTHORITY**

RESOLUTION NO. 09-09

Financial Assistance (Toll Equity Grant) Application for 290 East Toll Project

WHEREAS, the Central Texas Regional Mobility Authority ("CTRMA") was created pursuant to the request of Travis and Williamson Counties and in accordance with provisions of the Transportation Code and the petition and approval process established in 43 Tex. Admin. Code § 26.01, *et seq.* (the "RMA Rules"); and

WHEREAS, the Board of Directors of the CTRMA has been constituted in accordance with the Transportation Code and the RMA Rules; and

WHEREAS, in a minute order approved on August 25, 2005, the Texas Transportation Commission authorized the CTRMA to pursue the development of the 290 East Toll Project (the "Project"); and

WHEREAS, on December 1, 2008, CAMPO approved the business terms incorporated in the Market Valuation Agreement regarding the Project as required by Section 228.0111(g) of the Texas Transportation Code; and

WHEREAS, in Resolution No. 08-62, dated December 17, 2008, the Board of Directors exercised the option of the CTRMA to develop the Project as provided for under the process and procedures of Section 228.0111 of the Texas Transportation Code; and

WHEREAS, CAMPO has included the Project in its 2007-2011 Transportation Improvement Program ("TIP") and the Project is part of the Texas Department of Transportation ("TxDOT") 2007 Unified Transportation Program ("UTP"); and

WHEREAS, the CTRMA desires to obtain and utilize funds allocated to the Project under the TIP and the UTP through submission of an application for financial assistance in the form of a toll equity grant (the "Toll Equity Application") for construction costs pursuant to 43 Tex. Admin. Code § 27.50, *et seq.* (the "Toll Equity Rules"); and

WHEREAS, the Toll Equity Rules provide for consideration of the Toll Equity Application by the Texas Transportation Commission ("TTC") and upon the TTC's final approval of the Toll Equity Application, a financial assistance agreement ("Agreement") will be negotiated by the TxDOT Executive Director and the CTRMA; and

WHEREAS, the CTRMA desires to submit the Toll Equity Application as soon as practical and be in a position to complete negotiations and execute an Agreement as soon as possible after final approval is given by the TTC (if such approval is given).


NOW THEREFORE, BE IT RESOLVED, that the Board of Directors of the CTRMA hereby approves the submission to TxDOT of the Toll Equity Application pursuant to the Toll Equity Rules, and in the form and with the provisions reasonably determined by the Executive Director and CTRMA staff to be acceptable; and

BE IT FURTHER RESOLVED, that the Executive Director is authorized to execute such documents as are necessary to submit the Toll Equity Application to TxDOT on behalf of the CTRMA; and

BE IT FURTHER RESOLVED, that the CTRMA staff and consultants are authorized to take such actions as are necessary to prosecute the Toll Equity Application, and the Executive Director and CTRMA staff may negotiate the terms of an Agreement which shall be subject to the approval of the Board of Directors.

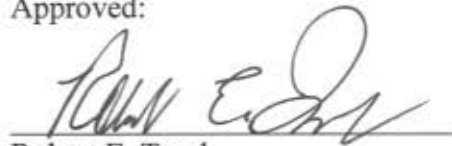
Adopted by the Board of Directors of the Central Texas Regional Mobility Authority on the 25th day of February, 2009.

Submitted and reviewed by:



Tom Nielson
General Counsel for the Central
Texas Regional Mobility Authority

Approved:



Robert E. Tesch.
Chairman, Board of Directors
Resolution Number 09-09
Date Passed 2/25/09