

**GENERAL MEETING OF THE BOARD OF DIRECTORS  
OF THE NORTH EAST TEXAS  
REGIONAL MOBILITY AUTHORITY**

**RESOLUTION NO. 16-29**

WHEREAS, the North East Texas Regional Mobility Authority (“NET RMA”) was created pursuant to the request of Gregg and Smith Counties and in accordance with provisions of the Transportation Code and the petition and approval process established in 43 Tex. Admin. Code § 26.1, *et seq.* (the “RMA Rules”); and

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

WHEREAS, subsequent to the initial formation of the NET RMA the Counties of Cherokee, Rusk, Harrison, Upshur, Bowie, Panola, Titus, Van Zandt, Wood, and Kaufman joined the Authority and are represented on the Board of Directors; and

WHEREAS, the NET RMA is responsible for the operation of Toll 49; and

WHEREAS, the NET RMA is currently pursuing the development of the Toll 49, Segment 4 Project (the “Project”); and

WHEREAS, the Interim Executive has determined that the impact of the Project on certain properties and environmental features necessitates the purchase of stream mitigation credits as required under Section 404 of the Clean Water Act (“Section 404”); and

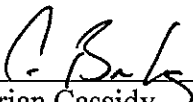
WHEREAS, Burleson Wetland Partners, Ltd. maintains a mitigation bank from which audits can be obtained to satisfy the Section 404 requirements; and

WHEREAS, the Interim Executive Director recommends entering into the Credit Purchase Agreement and Acknowledgement with Burleson Wetland Partners, Ltd., in the form or substantially the same form attached hereto as Attachment “A”.

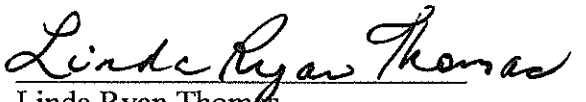
NOW THEREFORE, BE IT RESOLVED, that the Board of Directors of the NET RMA hereby authorizes the Interim Executive Director to execute the Credit Purchase Agreement and Acknowledgement with Burleson Wetland Partners, Ltd., in the form or substantially the same form attached hereto as Attachment “A”.

Adopted by the Board of Directors of the North East Texas Regional Mobility Authority on the 12th day of April, 2016.

Submitted and reviewed by:

  
\_\_\_\_\_  
C. Brian Cassidy  
General Counsel for the North East  
Texas Regional Mobility Authority

Approved:

  
\_\_\_\_\_  
Linda Ryan Thomas  
Chair, Board of Directors  
Resolution Number 16-29  
Date Passed 04/12/16

**PERMIT COMPLIANCE CERTIFICATION**

U.S. Army Corps of Engineers Project Number: SWF-2014-00303, NWP 14

Name of Permittee: North East Texas Regional Mobility Authority, Mr. Everett Owen (POC),  
909 East Southeast Loop 323, Suite 520 Tyler, Texas 75701

Project Name: Toll 49 Lindale Relief Route

Date of Issuance: July 23, 2015

Upon completion of the activity authorized by this permit and any mitigation required by the permit, sign this certification and return it to the following address:

Regulatory Division  
CESWF-DE-R  
U.S. Army Corps of Engineers  
P.O. Box 17300  
Fort Worth, Texas 76102-0300

Please note that your permitted activity is subject to a compliance inspection by a U.S. Army Corps of Engineers representative. If you fail to comply with this permit you are subject to permit suspension, modification, or revocation.

**I hereby certify that the work authorized by the above referenced permit was completed in accordance with the terms and conditions of the said permit, and required mitigation was completed in accordance with the permit conditions.**

\_\_\_\_\_  
Signature of Permittee

\_\_\_\_\_  
Date

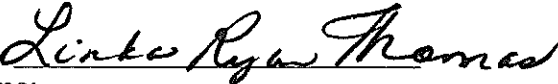
IN WITNESS WHEREOF, Purchaser and BWP have caused this Agreement to be executed by their duly authorized representatives as of the date set forth above.

BWP: BURLESON WETLAND PARTNERS, LTD., a Texas limited partnership acting by and through its sole General Partner, Burleson Partners, LLC, a Texas limited liability company

By: Burleson Partners, LLC, its Managing Member

By: \_\_\_\_\_  
Name: Larry R. Dixon  
Its: Manager

NORTH EAST TEXAS REGIONAL MOBILITY AUTHORITY

By:   
Name: \_\_\_\_\_  
Its: \_\_\_\_\_