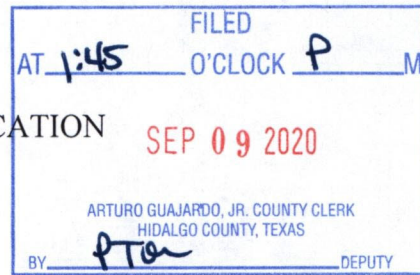


GENERAL, NO-LITIGATION AND SIGNATURE IDENTIFICATION  
CERTIFICATE OF HIDALGO COUNTY, TEXAS



THE STATE OF TEXAS     §  
COUNTY OF HIDALGO    §

We, the undersigned officials of Hidalgo County, Texas (the “County”), do hereby execute and deliver this Certificate for the benefit of the Attorney General of the State of Texas and all other persons interested in the HIDALGO COUNTY REGIONAL MOBILITY AUTHORITY SENIOR LIEN VEHICLE REGISTRATION FEE REVENUE BONDS, SERIES 2020A and HIDALGO COUNTY REGIONAL MOBILITY AUTHORITY SENIOR LIEN VEHICLE REGISTRATION FEE REVENUE REFUNDING BONDS, TAXABLE SERIES 2020B (together, the “Bonds”), now in the process of issuance. We certify as follows:

1. The following persons are members of the County’s Commissioners’ Court (the “Commissioners’ Court”):

<u>Name</u>	<u>Title</u>
Richard F. Cortez	County Judge
David L. Fuentes	Commissioner, Precinct 1
Eduardo “Eddie” Cantu	Commissioner, Precinct 2
Joe M. Flores	Commissioner, Precinct 3
Ellie Torres	Commissioner, Precinct 4

Arturo Guajardo, Jr. is the County Clerk and Valde Guerra is the Commissioners’ Court Executive Officer

2. The Hidalgo County Regional Mobility Authority (the “Authority”) was created and organized pursuant to and in accordance with the provisions of Chapters 370 and 502, Texas Transportation Code, and the corresponding regulations, policies, and procedures of the Texas Transportation Commission (the “Commission”), as amended from time to time.

3. Attached hereto as Exhibit A is a true and correct copy of the Resolution of the Commissioners’ Court adopted on March 30, 2005 authorizing the execution of the amended and restated petition for approval to form a regional mobility authority

4. Attached hereto as Exhibit B is a true and correct copy of the amended and restated petition submitted by the County to the Commission requesting the creation of the Authority.

5. Attached hereto as Exhibit C is a true and correct copy of the Minute Order of the Commission authorizing the creation of the Authority.

6. On August 14, 2007 the Commissioners’ Court adopted an order (the “Order”), a true and correct copy of which is attached hereto as Exhibit D, authorizing the adoption and implementation of the Vehicle Registration Fee, authorized pursuant to Section 502.402, Texas Transportation Code (the “Vehicle Registration Fee”), at the rate of \$10.00. The County has provided all notices required by law for the purposes of imposing the Vehicle Registration Fee.

7. The Authority and the County entered into a Transportation Project and Pledge Agreement (the "Project Agreement"), adopted by the County on July 9, 2013, which relates to the use by the County and the Authority of Vehicle Registration Fees. Attached hereto as Exhibit E is a true and correct copy of the Project Agreement. Additionally, attached hereto as Exhibit F is a true and correct copy of an excerpt from the minutes of the meeting of the Commissioners' Court held on July 9, 2013, evidencing the approval of the Project Agreement.

8. No litigation or proceeding against the County is pending or, to our knowledge, threatened in any court or administrative body nor, to our knowledge, is there a basis for litigation which would (a) contest the right of the members or officials of the County to hold and exercise their respective positions, (b) contest the due organization and valid existence of the County, (c) contest the validity, due authorization and execution of the Project Agreement and the Bonds, or (d) attempt to limit, enjoin, or otherwise restrict or prevent the County from functioning and collecting revenues pursuant to the Project Agreement or the levy, assessment, or collection of the Vehicle Registration Fees for the payment of and principal of and interest on the Bonds.

9. The representations and warranties of the County contained in the Order and the Pledge Agreement are true and correct in all material respects on and as of the date of Closing as if made on the date of Closing.

10. The Order was duly adopted by the Commissioners Court of the County, is in full force and effect and has not been modified, amended or repealed, and the Pledge Agreement has been duly executed and delivered by Issuer, is in full force and effect and has not been modified, amended or repealed.

11. The Attorney General of the State of Texas is authorized to date this Certificate as of the date of approval of the Bonds in reliance upon the commitment of the undersigned to notify the Attorney General immediately if any of the information contained herein ceases to be correct in all material respects.

12. On July 9, 2013, the date the Project Agreement was adopted, and at all times since that date to the date hereof, each of the following individuals has held and now holds the position with the County shown opposite his name and the signature appearing opposite each name and title set forth below is such person's genuine signature.

Richard F. Cortez

County Judge

*Richard F. Cortez*

Arturo Guajardo, Jr.

County Clerk

*Arturo Guajardo, Jr.*



Valde Guerra

Commissioners Court  
Executive Officer

*Valde Guerra*

APPROVED BY  
COMMISSIONERS' COURT  
ON: 9/8/20 *mg*

[Signature Page Follows]

EXECUTED AS OF \_\_\_\_\_.

HIDALGO COUNTY, TEXAS

*Richard F. Cortez*

Richard F. Cortez, County Judge

[COUNTY SEAL]

*Arturo Guajardo, Jr.*  
Arturo Guajardo, Jr., County Clerk



APPROVED BY  
COMMISSIONERS' COURT  
ON: 9/8/20 *rg*

Exhibits

- Exhibit A Resolution of the Hidalgo County Commissioners Court authorizing the Amended and Restated Petition
- Exhibit B Amended and Restated Petition submitted April 21, 2005 by Hidalgo County to the Commission requesting the creation of the Authority.
- Exhibit C November 17, 2005 Minute Order of the Commission authorizing creation of the Authority
- Exhibit D Commissioners' Court Order authorizing adoption and implementation of the Vehicle Registration Fee and supplemental Order Authorizing the Pledge of Vehicle Registration Fee and Committing Not to Rescind Fee
- Exhibit E Transportation Project and Pledge Agreement
- Exhibit F Excerpt from minutes of July 9, 2013 meeting of the Commissioners' Court evidencing approval of Project Agreement

**EXHIBIT A**

**COMMISSIONERS' COURT RESOLUTION AUTHORIZING THE AMENDED AND  
RESTATED PETITION TO FORM A REGIONAL MOBILITY AUTHORITY**

STATE OF TEXAS           §  
  §  
COUNTY OF HIDALGO   §

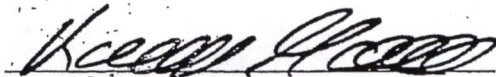
**RESOLUTION AND ORDER**

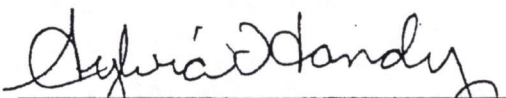
**WHEREAS**, the Commissioners Court of Hidalgo County, at a duly called and noticed meeting on March 30, 2005 came to be heard the Amended and Restated Petition of Hidalgo County for Authorization to form a Regional Mobility Authority (RMA) to implement critical mobility improvements in Hidalgo County; and

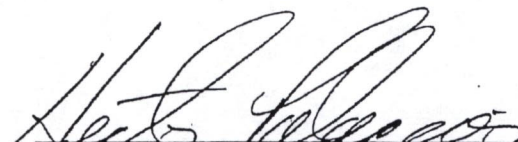
**WHEREAS**, pursuant to Texas Transportation Code Chapter 370 and Title 43 Texas Administrative Code Chapter 26, the Commissioners Court of Hidalgo County desires to petition the Texas Department of Transportation Commission to create an RMA;

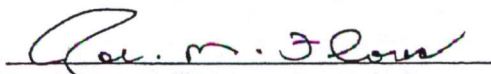
**NOW THEREFORE, BE IT RESOLVED AND ORDERED** that the Hidalgo County Commissioners Court authorizes the Hidalgo County Commissioners Voting in favor of the Petition and to execute the Petition of Hidalgo County for Approval to Form a Regional Mobility Authority in substantially the same form as is attached hereto.

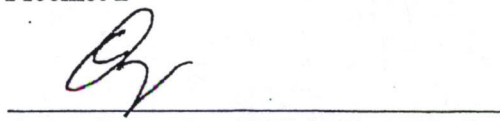
**PASSED, APPROVED, ADOPTED AND ORDERED**, this the 30<sup>th</sup> day of March 2005 by the Commissioners Court of Hidalgo County, Texas.

  
\_\_\_\_\_  
Ramón García, County Judge

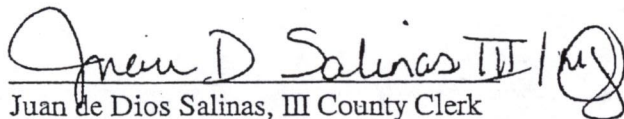
  
\_\_\_\_\_  
Sylvia Handy, County Commissioner  
Precinct 1

  
\_\_\_\_\_  
Hector Palacios, County Commissioner  
Precinct 2

  
\_\_\_\_\_  
Joe M. Flores, County Commissioner  
Precinct 3

  
\_\_\_\_\_  
Oscar Garza, County Commissioner  
Precinct 4

ATTEST:

  
\_\_\_\_\_  
Juan de Dios Salinas, III County Clerk

**EXHIBIT B**

**AMENDED AND RESTATED PETITION TO THE TEXAS TRANSPORTATION  
COMMISSION**

cc: Phil  
D. i W.  
Amadeo S.

RECEIVED  
MAY 02 2005  
OFFICE/EXECUTIVE DIRECTOR



# MEMORANDUM

TO: Michael W. Behrens, P.E.  
FROM: Mario R. Jorge, P.E. *Mario R. Jorge, P.E.*  
SUBJECT: RMA application

DATE: April 24, 2005

Attached please find for your consideration a revised Regional Mobility Authority application for Hidalgo County along with the required Public Outreach Plan.

954  
821  
54119

The county has revised article 7 as previously requested to specify the geographical distribution of the prospective board members. This revised application has also received the unanimous support of the Commissioners court. The initial project being recommended as part of the application is the construction of a connector from the Pharr International Bridge to US 83 expressway. The county has hired an engineering firm to develop schematics and environmental assessment for the project. That project has been identified in the 2005 SMP and the District's allocation of Texas Mobility Fund (\$66 million) has been committed. A Value Engineering workshop will be conducted the first week of May, in which the project will be streamlined and possible cost reductions can be identified.

Should the Commission or Administration need additional information, please advise.



## HIDALGO COUNTY RIGHT OF WAY DEPARTMENT

April 21, 2005

Mr. Michael W. Behrens  
Executive Director  
Texas Department of Transportation  
125 E. 11<sup>th</sup>  
Austin, Texas 78701

Re: Proposed Hidalgo County Regional Mobility Authority

Dear Mr. Behrens:

Hidalgo County has submitted an application for the creations of a Hidalgo County Regional Mobility Authority. Enclosed is a Public Outreach Plan for the public hearing that has been set for July 20, 2005 at the Hidalgo County Commissioner's Court Room (1<sup>st</sup> Floor), 100 E. Cano, Edinburg, Texas 78539. Meeting will start promptly at 6:00 p.m.

Should you have any questions, feel free to contact the office at (956) 292-7080 or my cell phone at (956) 227-3623.

Sincerely,

  
Godfrey Garza, Jr.  
Special Projects

Public Outreach Plan for Public Hearing  
July 20, 2005

1. Publish legal notice of public hearing (English and Spanish) 30 days prior to meeting date and 10 days prior to meeting date.
2. Post notice of hearing in County website.
3. Mail Notice of Public hearing to governmental entities and business associations (Stakeholders)

Chamber of Commerce:

Alamo Chamber of Commerce  
Delta Area Chamber of Commerce  
Edinburg Chamber of Commerce  
Hidalgo Chamber of Commerce  
McAllen Chamber of Commerce  
Mercedes Area Chamber of Commerce  
Greater Mission Chamber of Commerce  
Pharr Chamber of Commerce  
Valley Chamber of Commerce

International Chamber of Commerce  
Edinburg Hispanic Chamber of Commerce  
Hispanic Chamber of Commerce  
Edinburg Chamber of Commerce  
McAllen Hispanic Chamber of Commerce  
Mission Chamber of Commerce  
Weslaco Chamber of Commerce  
Valley Chamber of Commerce

Cities in Hidalgo County:

City of Alamo  
City of Alton  
City of Donna  
City of Edcouch  
City of Edinburg  
City of Elsa  
City of Hidalgo  
City of La Joya  
City of McAllen  
City of Mercedes  
City of Mission  
City of Palmhurst  
City of Palmview  
City of Pharr  
City of Peñitas  
City of San Juan  
City of Weslaco  
City of Progreso  
City of Sullivan City  
City of La Villa

School Districts in Hidalgo County:

PSJA  
Donna  
Edcouch-Elsa  
Edinburg  
Elsa  
Hidalgo  
La Joya  
La Villa  
McAllen  
Mercedes  
Mission  
Progreso  
Valley View  
Sharyland  
Weslaco

4. Mail Notice of public hearing two weeks prior to key neighborhood and civic organizations.

## NOTICE OF PUBLIC HEARING

Public Hearing for Proposed Hidalgo County Regional Mobility Authority: The Texas Department of Transportation will conduct a public hearing to receive comments on the proposed formation of the Hidalgo County Regional Mobility Authority ("Hidalgo County RMA") by Hidalgo County (the "County").

On October 26, 2004, the County filed a petition requesting authorization from the Texas Transportation Commission to form the Hidalgo County RMA. As proposed, the Hidalgo County RMA would encompass the boundary of the County, and would be governed by a board of directors of up to seven members. Six of the board members would be appointed by the Hidalgo County Commissioners Court. In addition to the board members appointed by the County, the presiding officer of the board will be appointed by the Governor.

The Hidalgo County RMA's initial project would be an approximately 9.9 mile project known as the South Truck/Haz-Mat Connector from U.S. 281 to U.S. 83. The project would consist of new right of way for the entire length of the segment.

Pursuant to Title 43 Texas Administrative Code, §26.12, the department will hold a public hearing on the date, time, and location indicated to receive public comments and assess the level of public support concerning the proposed Hidalgo County RMA:

July 20, 2005 at 6:00 p.m.  
Hidalgo County Commissioner's Court Room (1<sup>st</sup> Floor)  
Administration Building  
100 E. Cano  
Edinburg, Texas 78539

All interested citizens are invited to attend the public hearing and to provide input. Those desiring to make official comments may register starting at 5:30 p.m. Oral and written comments may be presented at the public hearing, or written comments may be submitted by mail. To be included in the official record of the public meeting, written comments must be received by 5:00 p.m. on August 3, 2005. Written comments should be mailed to: Doug Woodall P.E., director of Turnpike Planning and Development, Texas Turnpike Authority Division, Texas Department of Transportation, 125 E. 11<sup>th</sup> Street, Austin, Texas 78701-2483.

Persons with disabilities who plan to attend the public hearing and who may need auxiliary aids or services such as interpreters for persons who are deaf or hearing impaired, readers, large print, or Braille, are requested to contact Godfrey Garza, Jr., (956) 292-7080 at least two business days prior to the hearing, so that appropriate arrangements can be made.

A copy of Hidalgo County's petition to the Texas Transportation Commission is available for inspection at the offices the Hidalgo County Right of Way Department located at 902 N. Doolittle, Edinburg, Texas 78541.

TO BE PUBLISHED IN THE MONITOR UNDER LEGAL NOTICES ON JUNE 19, 2005,  
SUNDAY, JULY 3, 2005, AND JULY 10, 2005.

## NOTIFICACION DE AUDENCIA PUBLICA

El Departamento de Transportes de Texas (Texas Department of Transportation) llevará a cabo una audiencia pública para recibir comentarios sobre la solicitud del Condado de Hidalgo ante la Comisión de Transportes de Texas (Texas Transportation Commission) para la propuesta creación de la Autoridad del Condado de Hidalgo para Movilidad Regional (Hidalgo County Regional Mobility Authority).

El día 26 de Octubre del presente año, el Condado de Hidalgo sometio una peticion pidiendo autorización del Departamento de Transportes de Texas para la formación de la Autoridad del Condado de Hidalgo para Movilidad Regional cuyos límites serán congruentes con los límites del Condado y tendrá una mesa directiva de hasta siete miembros. Seis miembros de la mesa directiva serán nombrados por la Corte de Comisionados del Condado de Hidalgo. El presidente de la mesa directiva sera nombrado por el Gobernador de el estado de Texas.

El proyecto inicial de la autoridad regional de condado de Hidalgo es de aproximadamente 9.9 millas generalmente conocido como Desviación Sur De Camiones De Carga De Alto Riesgo. El proyecto consistira de nuevos derechos viales para todo el segmento del proyecto.

De acuerdo al Título 43 del Texas Administrative Code, §26.12, el departamento tendrá una audiencia pública para recibir comentarios y medir el nivel de apoyo para la propuesta Autoridad del Condado de Hidalgo para Movilidad Regional. Se llevará acabo:

El día 20 de Julio del presente año, a las 6:00 p.m.  
Hidalgo County Commissioner's Court Room  
Administration Building  
100 E. Cano  
Edinburg, Texas 78539

Toda persona interesada está invitada a asistir la audiencia y proveer comentarios. Personas que deseen hacer comentarios pueden registrarse empezando a las 5:30 p.m. Comentarios verbales y escritos pueden ser presentados en la audiencia o comentarios escritos pueden ser sometidos por correo. Para ser incluidos en la minuta de la audiencia, comentarios escritos deberán ser recibidos por las 5:00 p.m. el día 3 de Agosto del presente año. Comentarios escritos deberán ser enviados a Doug Woodall, P.E., Director of Turnpike Planning and Development, Texas Turnpike Authority Division, Texas Department of Transportation, 125 E. 11<sup>th</sup> Street, Austin, Texas 78701-2483.

Personas con capacidades diferentes que planean asistir la audiencia que necesitan servicios de ayuda tales como interpretes para personas con problemas al oído o que no pueden escuchar, lectores, letras grandes, o Braille deben contactar a Godfrey Garza, Jr., al (956) 292-7080 dos días antes de la audiencia para hacer los arreglos necesarios.

Copia de la solicitud del Condado de Hidalgo a la Comisión de Transportes de Texas estará disponible para revision en la oficinas del Departamento de Transportes del Condado de Hidalgo ubicados en 902 N. Doolittle, Edinburg, Texas 78541.

DEBEN SER PUBLICADOS EN EL MONITOR BAJO NOTICIAS LEGALES EL DIA 19 DE JUNIO DEL PRESENTE AÑO, EL DIA 3 DE JULIO DEL PRESENTE AÑO Y EL DIA 10 DE JULIO DE EL PRESENTE AÑO.

**AMENDED AND RESTATED  
PETITION BY HIDALGO COUNTY  
FOR AUTHORIZATION TO FORM A REGIONAL MOBILITY AUTHORITY  
TO THE TEXAS TRANSPORTATION COMMISSION**

WHEREAS, on October 26, 2004, the Commissioners Court of Hidalgo County, Texas, at a special meeting of the Commissioners Court approved a Petition to the Texas Department of Transportation (TxDOT) requesting the authorization to form the Hidalgo County Regional Mobility Authority (the "Hidalgo County RMA") as required by 43 TAC Section 26.11;

WHEREAS, the Commissioners Court desired to amend the number of Hidalgo County RMA Board of Directors and the method by which Hidalgo County shall appoint the Board of Directors of the proposed Hidalgo County RMA;

WHEREAS, at a regular meeting held on March 30, 2005 of the Commissioners Court, the Commissioners amended and restated the Hidalgo County RMA Petition to TxDOT to read as follows:

Pursuant to provisions of Texas Transportation Code Chapter 370 and 43 Texas Administrative Code (TAC), Section 26.1, *et seq.*, Hidalgo County (hereinafter referred to as **Petitioner**) tenders this, their Petition and Request for Authorization to Form the **Hidalgo County Regional Mobility Authority**. As required by 43 TAC Section 26.11, the **Petitioner** submits the following in support of their petition.

**1. COMMISSIONERS COURT APPROVAL**

On October 26, 2004, the Hidalgo County Commissioners Court approved the creation of the **Hidalgo County Regional Mobility Authority** (hereinafter referred to as **Hidalgo County RMA**). A copy of the Hidalgo County

Commissioner's Court Resolution is attached hereto as **ATTACHMENT 1**.

**2. DESCRIPTION OF NEEDS FOR IMPROVEMENT TO REGIONAL MOBILITY**

The importance of effective and efficient transportation infrastructure is a highly-regarded concern of governmental entities, transportation officials, commercial owners and residents within the lower Rio Grande Valley/Texas-Mexico border region. Texas is considered a major gateway for trade between the United States and Mexico; NAFTA has provided increased interest as well as a major avenue to facilitate this trade. Even while it appears that the existing ports of entry along the Texas-Mexico border have become congested and somewhat inefficient, the **Petitioner** recognizes, what may be even more important, is the congestion and inefficiency of the existing transportation infrastructure within Hidalgo County.

The **Petitioner** recognizes that it encompasses the nation's third fastest growing Metropolitan Statistical Area (MSA). Traffic data from the 2025 Metropolitan Planning Organization (MPO) Hidalgo County Metropolitan Transportation Plan, December 1999 indicates that 2025 - Build and No-Build will provide only level of service (LOS) E and F for the majority of roadway facilities in Hidalgo County, and previous traffic data shows to be under-estimated by 20 percent (20%). The population of Hidalgo County continues to grow at an accelerated rate. The 2000 Census population was approximately 569,463 and the population is expected to be 900,000 by 2025. Therefore, improvements to transportation infrastructure within Hidalgo County are vital to meet the demands resulting from this tremendous growth.

The formation of the **Hidalgo County RMA** will allow an entity, under local control but working in cooperation with the Texas Department of Transportation (TxDOT), to develop turnpike road projects and provide support to other transportation improvements in the region which otherwise might depend solely on state or federal funding. Thus, badly needed transportation infrastructure can be delivered to the region more quickly than would be the case without a regional mobility authority.

The **Hidalgo County RMA** will benefit the State by relieving TxDOT of the burden of constructing certain transportation projects. For example, the initial projects to be pursued by the **Hidalgo County RMA** are identified in paragraph 4.

### 3. BENEFITS

These projects will be important links to the border infrastructure within and adjacent to Hidalgo County. The State will also benefit by having a local entity which will study, plan, and develop projects that otherwise might be the sole responsibility of the State.

The **Hidalgo County RMA** will also benefit Hidalgo County, the various ports of entry, governmental entities, transportation officials and cities and communities by having increased local control over projects and a more direct impact on transportation planning decisions. The region will also have the opportunity to benefit from surplus revenues generated by the **Hidalgo County RMA** that may be used for other transportation projects in the region.

The traveling public will benefit by an improved system of roadways in the

region, delivered sooner than would otherwise be possible under traditional methods of transportation funding and project development. Easing the severe traffic congestion which plagues the area encompassed by the **Hidalgo County RMA** will also enhance safety, decrease travel time, and generally improve the quality of life of citizens of the region.

#### **4. PROJECT DESCRIPTION - HIDALGO COUNTY LOOP**

The Petitioner began approximately two years ago a comprehensive study to develop and define a transportation loop, preliminarily identified in the MPOs previous and recent circulation studies. The development of the **Hidalgo County Loop** by the Petitioner involved a three-phase approach incorporating Texas Department of Transportation (TxDOT) guidelines and the National Environmental Policy Act (NEPA) requirements for major highway improvements: Phase I - to perform a route analysis within a six mile wide corridor, including preliminary project planning elements for route analysis, preliminary environmental investigations, and public involvement; Phase II(A) - to perform an alignment analysis within the recommended route identified in Phase I, developing final planning elements, including determination of final alignment, preparation of a final environmental document, public involvement, including a public hearing, preparation of a schematic of final alignment and identification of required right of way, and final evaluation and determination of logical termini for phased construction; Phase II(B) - to develop right of way mapping and acquisition; and, Phase III - to develop final design, plans, specifications and estimates, and begin construction for portions of

the project, as determined by logical termini for phased construction, in order of priority need and consistent with availability of funding. Recently, the **Petitioner** completed Phase I of project development, which included a corridor-route analysis, preliminary environmental investigations/documentation, and public involvement. The results of Phase I are documented in the *Hidalgo County Loop Alternatives Route Analysis Report*, adopted by Hidalgo County Commissioners Court on May 13, 2003. This report identified the preferred route of the **Hidalgo County Loop**.

Recognizing that the **Hidalgo County Loop** is approximately 104 miles in length, that it will have to be developed in phases consistent with funding availability, and that the Texas Transportation Commission has a commitment to supporting projects with potential toll feasibility, the **Petitioner** has identified, from Phase I project development and documented in the *Hidalgo County Loop Alternatives Route Analysis Report*, two projects with logical termini to be carried forward for further development: (1) the **South Truck/Haz-Mat Connector**, from US 281 to US 83, with future extension to north of Edinburg (see **ATTACHMENT 2** for project location map), and (2) the **Southeast Loop**, from US 83 to near US 281 at the proposed South Truck / Haz-Mat Connector (see **ATTACHMENT 2** for project location map).

(a) **Consistency with MPO Plan and the Texas Transportation Plan.** The **Hidalgo County Loop** is supported by the Hidalgo County Metropolitan Planning Organization (MPO) and the Lower Rio Grande Valley Development Council, and has been identified in the 2002 *MPO Circulation*

*Study.* The TxDOT - Pharr District has identified portions of the project for Construct authority under Category 2 and will be included in the Statewide Mobility Plan (SMP) to be approved by the Texas Transportation Commission in November 2004. Coordination with the TxDOT - Pharr District has been on-going through Phase I project development. The Pharr District has begun preliminary engineering and environmental commensurate with Phase II as identified above, on the project identified as the Southeast loop with connection into Cameron County.

**(b) Description of Known Environmental, Social, Economic or Cultural Resource Issues.** The **Petitioner** completed a preliminary environmental analysis during Phase I project development of the **Hidalgo County Loop**. The preliminary environmental analysis was developed in accordance with TxDOT and NEPA guidelines and requirements, including the identification of constraints and issues involving floodplains, prime farmlands, wetlands, stream crossings, threatened and endangered species, vegetation, wildlife communities, land use, historical and archaeological resources, number of businesses and residences affected, community/civic facilities, recreational facilities, hazardous materials, and ranching facilities. The results of the preliminary environmental analysis are documented in the ***Hidalgo County Loop Alternatives Route Analysis Report***, adopted by Hidalgo County Commissioner's Court on May 13, 2003. In general, the preliminary environmental analysis provided the opportunity to determine the preferred

route by minimizing and/or avoiding social, economic and cultural impacts. The **Petitioner** understands that final environmental permits, issues, and commitments will be documented during Phase II project development, with the determination and identification of the final alignment of each portion of the **Hidalgo County Loop**, including the **South Truck/Haz-Mat Connector**, and future extension to north of Edinburg, and the **Southeast Loop**.

(c) **Known Opposition and/or Controversies Regarding Project.** Throughout Phase I project development, the **Petitioner** held sixteen public forums, including workshops and meetings (public and stakeholder) during the period of March 2002 to May 2003. The **Petitioner** is aware of no known significant opposition to, or controversies regarding the **Hidalgo County Loop**.

(d) **Preliminary Financing Plan.** At this time only general estimates of costs, financing, and sources and uses of funds are available for the project. To the extent that they are available, estimates are set forth below:

(i) **Estimated Project Costs\***

	<b>South Truck/Hazmat Connector</b>	<b>US 83 - La Joya Relief Route</b>	<b>Southeast Loop</b>
<b>Construction Cost</b>	\$151,492,000.	\$70,000,000.	\$143,312,000.
<b>Planning &amp; Engineering #</b>	\$15,149,200.	\$7,000,000.	\$14,331,200.
<b>Construction Phase Engineering ##</b>	\$11,361,900.	\$5,250,000.	\$10,748,400.
<b>Right-of-Way &amp; Utility Relocation</b>	\$18,604,000.	\$4,000,000.	\$9,825,150.
<b>Environmental Mitigation</b>	\$3,787,300.	\$7,000,000.	\$3,582,000.
<b>Miscellaneous</b>	\$15,149,200.	\$7,000,000.	\$14,331,200.
<b>ESTIMATED TOTAL</b>	\$215,543,600.	\$100,250,000.	\$196,129,800.

(ii) Estimated Financing and Sources and Uses of Funds\*

	South Truck/Hazmat -Connector	US 83 - La Joya Relief Route	Southeast Loop
TxDOT (TxDOT Mobility Fund) Participation	\$66,000,000.	-	-
Hidalgo County	\$3,100,000.	-	-
Net Issuance Bond**	\$97,820,000.	-	-
Federal Earmark***	\$12,000,000.	-	-
TxDOT Toll Equity	\$36,623,600.		
<b>TOTALS</b>	<b>\$215,543,600.</b>		

\* Note that these are only estimates and actual figures may vary considerably once additional information becomes available.

\*\* Obtained from Texas Department of Transportation, Texas Turnpike Authority Division, Project Specific Toll Feasibility Analysis (Truck Hazmat Route - Scenario 1)

# Based on 10% of construction cost

## Based on 7.5% Engineering and contingencies standard for projects over \$25M

\*\*\* Anticipated in next Highway Bill

**5. COMMITMENT TO SECURE ENVIRONMENTAL APPROVALS**

As noted above in paragraph 3, the development of the Hidalgo County Loop was a 3-phase approach incorporating TxDOT guidelines and the National Environmental Policy Act (NEPA) requirements for major highway improvements. Recently, Hidalgo County completed Phase I of project development, which included a corridor-route analysis, preliminary environmental investigations/documentation, and public involvement. Both of the initial projects are inclusive of Phase I preliminary environmental investigations and public

involvement. The Phase I preliminary environmental documentation is included in the *Hidalgo County Loop Alternatives Route Analysis Report*, adopted by Hidalgo County Commissioners Court on May 13, 2003, and will be transferred to the **Hidalgo County RMA**. The **Hidalgo County RMA** will be responsible for preparing any updates (as required), and, to the extent not otherwise undertaken by TxDOT or the TxDOT - TTA Division, will be responsible for identifying and securing all additional federal and state environmental permits, issues, and commitments (EPIC) necessary for development of the **South Truck/Haz Mat Connector**, the **Southeast Loop**, and all other **Hidalgo County RMA** projects.

#### 6. **ADDITIONAL PROJECT**

The US 83 – La Joya Relief Route will be developed in phases consistent with funding availability and the identification of logical termini. In addition to the initial projects described in paragraph 3, the **Petitioner** has made preliminary determinations of this project with logical termini and potential turnpike roads. (See **ATTACHMENT 2** for project location map).

#### 7. **BOARD COMPOSITION**

The initial Board of Directors for the **Hidalgo County RMA** will consist of up to seven (7) members. Six (6) members will be appointed by the **Petitioner** in the following manner: One (1) member shall be appointed from the Delta Area (Edcouch, Texas and Elsa, Texas area); One (1) member shall be appointed from the Mid-Valley Area (Weslaco, Texas, Mercedes, Texas and Donna, Texas area); One (1) member shall be appointed from the Pharr, Texas and San Juan, Texas

area; One (1) member shall be appointed from the City of McAllen, Texas; One (1) member shall be appointed from the Mission, Texas and La Joya, Texas area; and One (1) member shall be appointed from the City of Edinburg, Texas. One (1) member (the Presiding Officer), shall be appointed by the Governor of the State of Texas.


A geographical representation of the County's precincts and their respective proposed Board of Directors for the **Hidalgo County RMA** is exhibited as **ATTACHMENT 3**. The **Petitioner** will make appointments according to Texas Transportation Code Section 370.251 that adequately represent Hidalgo County as a whole. The **Petitioner** believes that the proposed composition of the Board of Directors for the **Hidalgo County RMA** and the common interest in the region shared by all board members will result in adequate representation of all political subdivisions within the geographic area of the **Hidalgo County RMA**.

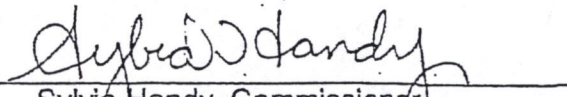
#### **REQUEST FOR PUBLIC HEARING AND APPROVAL**

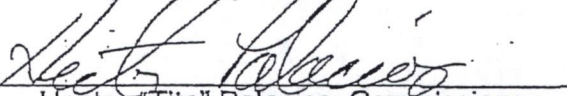
The foregoing sets forth all information required by 43 TAC Section 26.11. The **Petitioner** requests that TxDOT review the petition and conduct a Public Hearing as required by 43 TAC Section 26.12 as soon as possible. Thereafter, the **Petitioner** requests that the Texas Transportation Commission review the petition and any supplemental information concerning public support for the **Hidalgo County RMA**, and that the Texas Transportation Commission issue a Minute Order authorizing the formation of the **Hidalgo County Regional Mobility Authority**.

Respectfully Submitted,

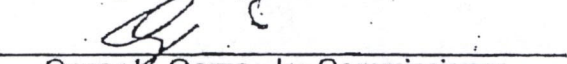
HIDALGO COUNTY, TEXAS

By:   
Ramon Garcia, County Judge

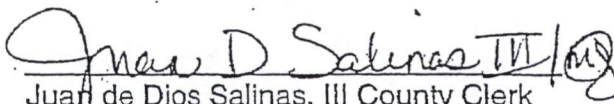
By:   
Sylvia Handy, Commissioner  
Hidalgo County Precinct 1

By:   
Hector "Tito" Palacios, Commissioner  
Hidalgo County Precinct 2

By:   
Joe Flores, Commissioner  
Hidalgo County Precinct 3

By:   
Oscar Z. Garza, Jr., Commissioner  
Hidalgo County Precinct 4

ATTEST:

  
Juan de Dios Salinas, III County Clerk

ATTACHMENTS:

ATTACHMENT 1 - Copy of Hidalgo County Commissioners Court Minutes and Resolution.

ATTACHMENT 2 - Hidalgo County Loop Proposed Project Location Maps.

ATTACHMENT 3 - Geographical Representation of County's Precincts.

STATE OF TEXAS       §  
                                  §  
COUNTY OF HIDALGO   §

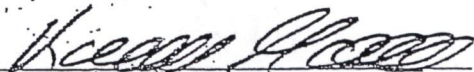
RESOLUTION AND ORDER

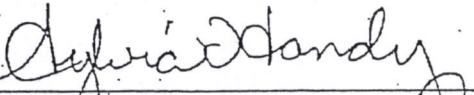
WHEREAS, the Commissioners Court of Hidalgo County, at a duly called and noticed meeting on March 30, 2005 came to be heard the Amended and Restated Petition of Hidalgo County for Authorization to form a Regional Mobility Authority (RMA) to implement critical mobility improvements in Hidalgo County; and

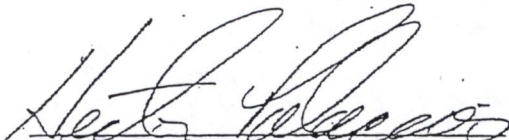
WHEREAS, pursuant to Texas Transportation Code Chapter 370 and Title 43 Texas Administrative Code Chapter 26, the Commissioners Court of Hidalgo County desires to petition the Texas Department of Transportation Commission to create an RMA;

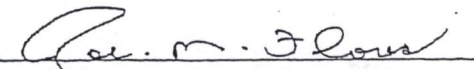
NOW THEREFORE, BE IT RESOLVED AND ORDERED that the Hidalgo County Commissioners Court authorizes the Hidalgo County Commissioners Voting in favor of the Petition and to execute the Petition of Hidalgo County for Approval to Form a Regional Mobility Authority in substantially the same form as is attached hereto.

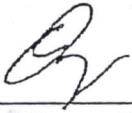
PASSED, APPROVED, ADOPTED AND ORDERED, this the 30<sup>th</sup> day of March 2005 by the Commissioners Court of Hidalgo County, Texas.

  
Ramon Garcia, County Judge

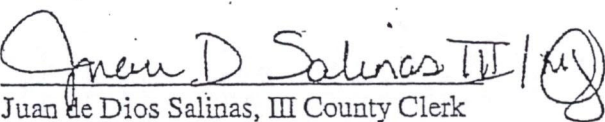
  
Sylvia Handy, County Commissioner  
Precinct 1

  
Hector Palacios, County Commissioner  
Precinct 2

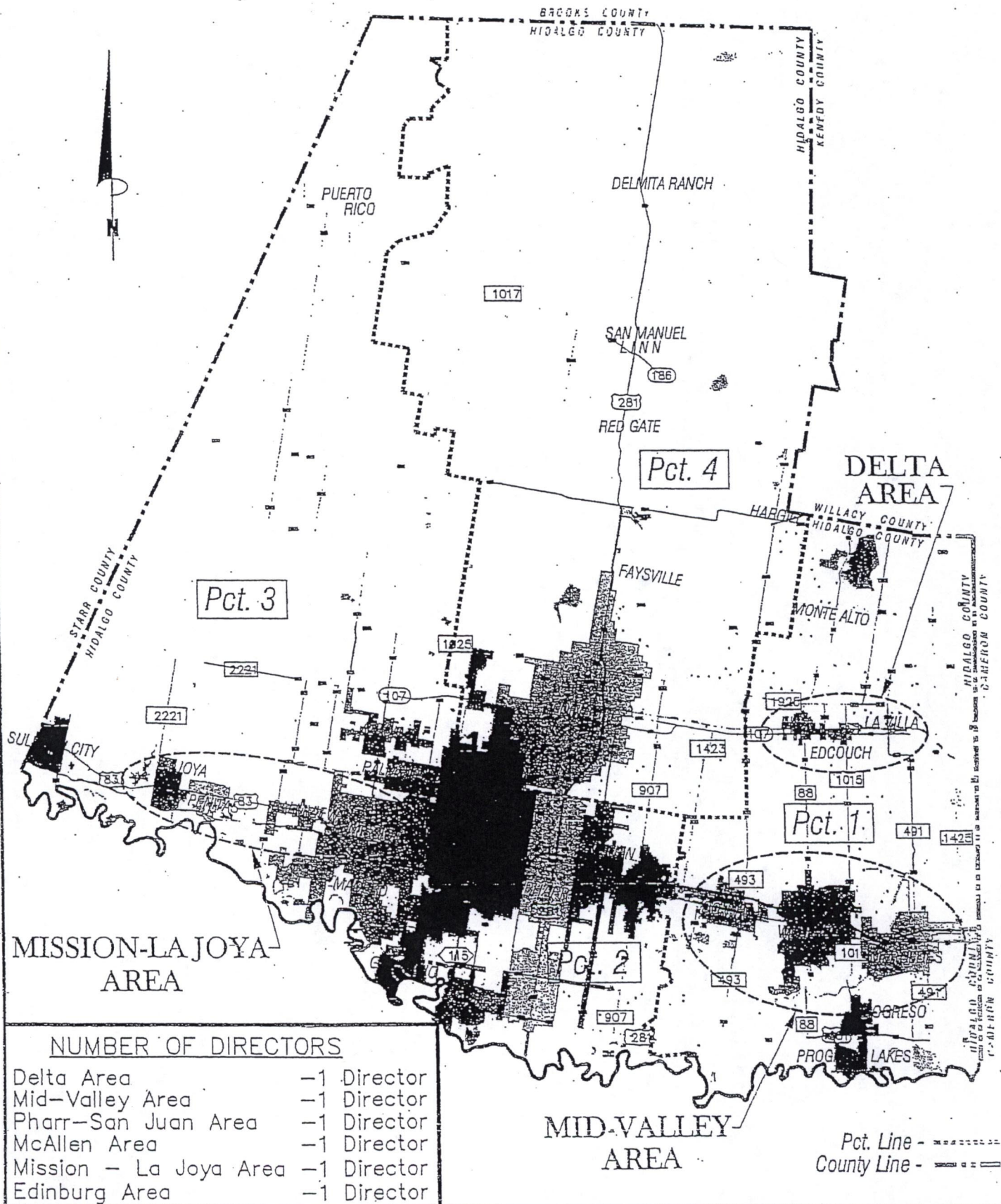
  
Joe M. Flores, County Commissioner  
Precinct 3

  
Oscar Garza, County Commissioner  
Precinct 4

ATTEST:

  
Juan de Dios Salinas, III County Clerk

# HIDALGO COUNTY REGIONAL MOBILITY AUTHORITY



**EXHIBIT C**

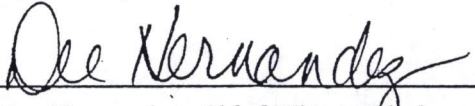
**MINUTE ORDER OF THE COMMISSION AUTHORIZING CREATION OF THE  
AUTHORITY**

Minute Order No. 110315  
Passed November 17, 2005

--oo0000oo--

I, Dee Hernandez, Chief Minute Clerk, certify that the attached document is a true and correct copy of Minute Order 110315 dated November 17, 2005, as it was passed at a Regular Meeting and appears in the Official Minutes of the Texas Transportation Commission of the State of Texas, and that I am an Official Custodian of this record.

Witness my hand and Official Seal this 18<sup>th</sup> day of June 2005.

  
Dee Hernandez, Chief Minute Clerk  
Texas Department of Transportation

TEXAS TRANSPORTATION COMMISSION

HIDALGO County

MINUTE ORDER

Page 1 of 2

PHARR District

Pursuant to Chapter 370 of the Transportation Code, and 43 TAC Chapter 26 (RMA rules), Hidalgo County (county) petitioned the Texas Transportation Commission (commission) for authorization to form a Regional Mobility Authority (RMA) in Hidalgo County. The petition was filed on April 21, 2005.

By letter dated May 27, 2005, the Texas Department of Transportation (department) notified the county that the petition met the requirements of §26.11 of the RMA rules.

The petition identifies a toll-road network as potential candidate projects for development by the RMA. The projects identified in the petition consist of an approximately 104-mile Hidalgo County Loop, the US 83 La Joya Relief Route, and a US 281 alternate route from north of Edinburg to the Pharr International Bridge. The initial project cited in the petition, the proposed Hidalgo County Loop, will provide an important reliever route for some of the noncommercial traffic, and will provide for improved traffic circulation within the county.

The board of directors of the RMA, as set forth in the petition, will be composed of seven members, with six members appointed by the Hidalgo County Commissioners Court, and the presiding officer, who will serve as chairperson, appointed by the Governor.

On July 13, 2005, the department conducted a public hearing in Hidalgo County, pursuant to §26.12 of the RMA rules, to receive public comment on the proposed formation of the RMA. Notice of the public hearing was published in the *Texas Register* and in a newspaper of general circulation in the county.

At the public hearing, five elected officials and five individuals spoke in favor of the creation of the RMA. One elected official and seven individuals spoke in opposition to the creation of the RMA, with an additional thirteen individuals speaking in opposition to a specific project. Three individuals submitted written comments, one in favor of creation of the RMA and two opposing the development of a specific toll road.

The commission finds that the creation of the RMA has sufficient public support. The commission bases this finding on: (1) the resolution of support from the Commissioners Court of Hidalgo County; and (2) the support indicated at the public hearing and in the written comments.

The commission finds that creation of the RMA will result in direct benefits to the state, local governments, and the traveling public; and will improve the efficiency of the state's transportation systems. The RMA will benefit the state by constructing needed roadway projects, such as the network identified in the county's petition, as the county's potential candidate projects. The RMA will benefit local governments by increasing local control over transportation planning and through additional transportation projects that may be funded through surplus revenue earned by the RMA. The traveling public will also benefit through improved mobility and traffic safety throughout the region encompassed by the RMA. The RMA will improve the efficiency of the state's transportation systems through the construction of the potential candidate project, which will enhance mobility and safety within these segments of the state highway system, and through the development and financing of additional projects in the future.

TEXAS TRANSPORTATION COMMISSION

HIDALGO County

MINUTE ORDER

Page 2 of 2

PIARR District

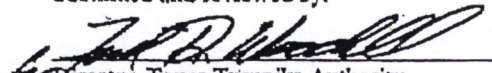
The commission finds that the potential candidate project is: consistent with the approved Texas Transportation Plan; included in the Statewide Transportation Improvement Program; and included in the approved plan of the Metropolitan Planning Organization. Subject to commission approval of the project under §26.31 of the RMA rules, the commission also finds that the project will benefit the traveling public.

IT IS THEREFORE ORDERED that the commission authorizes the creation of the RMA.

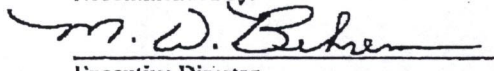
IT IS FURTHER ORDERED that the potential candidate project that may be developed, maintained, and operated by the RMA shall be the network identified above. This order does not constitute final commission approval of the project, which must be obtained pursuant to Chapter 370 of the Transportation Code and the applicable provisions of the RMA rules.

IT IS FURTHER ORDERED that the initial board of directors shall be composed of seven members, with six members appointed by the Hidalgo County Commissioners Court, and the presiding officer appointed by the Governor.

Submitted and reviewed by:

  
Director, Texas Turnpike Authority  
Division

Recommended by:

  
Executive Director

**110315 NOV 17 05**

Minute Date  
Number Passed

**EXHIBIT D**

**COMMISSIONERS' COURT ORDER AUTHORIZING ADOPTION AND  
IMPLEMENTATION OF VEHICLE REGISTRATION FEE AND SUPPLEMENTAL  
ORDER AUTHORIZING PLEDGE OF VEHICLE REGISTRATION FEE AND  
COMMITTING NOT TO RESCIND FEE**

**COPY**

**STATE OF TEXAS**

**COUNTY OF HIDALGO**

**ORDER IMPOSING A  
COUNTY FEE FOR TRANSPORTATION PROJECTS**

**WHEREAS**, the Commissioners Court of Hidalgo County, at a duly called and noticed meeting on August 14, 2007, and pursuant to Texas Transportation Code Section 502.1725, voted to impose the Optional County Fee for Transportation Projects (the "Fee") for vehicles registered in Hidalgo County;

**WHEREAS**, Texas Transportation Code Section 502.1725 authorizes certain counties in Texas, including Hidalgo County, to impose an additional fee, not to exceed Ten Dollars and no/100ths (\$10.00), for registering a vehicle in the county;

**WHEREAS**, the Fee shall be used for the long-term transportation projects of the Hidalgo County Regional Mobility Authority (the "RMA");

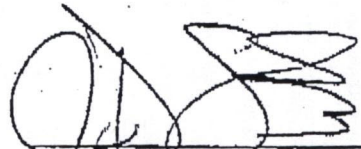
**WHEREAS**, it is the intent of the Commissioners Court to implement the Fee beginning on January 1, 2008 as required by Texas Transportation Code Section 502.1725(d);

**THEREFORE, BE IT NOW ORDERED BY THE HIDALGO COUNTY COMMISSIONERS COURT** that the Optional County Fee for Transportation Projects is adopted as follows:


1. The Commissioners Court shall impose the Optional County Fee for Transportation Projects in the amount of Ten Dollars and no/100ths (\$10.00) for each vehicles registered in Hidalgo County for which other registration fees under Texas Transportation Code Chapter 502 are paid either to the Hidalgo County assessor-collector or the Texas Department of Transportation.
2. The Fee shall be imposed beginning on January 1, 2008 and shall be in effect until the Commissioners Court rescinds this Order and notifies the Department of Transportation no later than the September 1 of the year preceding the year in which the removal shall take effect.
3. The County shall send the Fee to the Hidalgo County Regional Mobility Authority to fund long-term transportation projects in the Hidalgo County.

WHEREUPON MOTION MADE BY COMMISSIONER OSCAR GARZA, JR., AND SECONDED BY COMMISSIONER JOSE FLORES, THE ORDER IMPOSING THE OPTIONAL COUNTY FEE FOR TRANSPORTATION PROJECTS was passed on a vote of 5 for, and 0 against. This ORDER being adopted, the County Judge is authorized to sign the ORDER and the County Clerk is instructed to record the ORDER in the official minutes of the Commissioners Court.

Approved and signed this 14th day of August, 2007.

  
\_\_\_\_\_  
J.D. Salinas, III, County Judge

ATTEST:

  
\_\_\_\_\_  
Arturo Guajardo, Jr., County Clerk



available to the Authority, and the RMA Debt shall not be an obligation or payable from taxes or any other revenues of the County; and

WHEREAS, the Commissioners Court now desires to supplement the Adoption Order to confirm that the Authority will pledge Fee revenue to secure payment of the RMA Debt for so long as the RMA Debt is outstanding;

THEREFORE, BE IT NOW ORDERED BY THE HIDALGO COUNTY COMMISSIONERS COURT, that the Hidalgo County additional vehicle registration Fee may be pledged for the payment of RMA Debt issued to fund work on the Project by the Hidalgo County Regional Mobility Authority as follows:

1. The County hereby acknowledges and consents to the Authority's pledge of the Fee revenue to secure payment of the principal of, premium, if any, and interest on the RMA Debt provided such debt does not have a term in excess of forty (40) years and provided such debt is used to fund development of the Project which will benefit the County and its residents.
2. The County hereby agrees that (i) the Fee shall be in effect from and after January 1, 2008; (ii) the County shall pay the Fee receipts to the Authority promptly upon receipt; and (iii) the County shall not rescind the Adoption Order or this Order (or modify either of them in any way that would adversely affect the Authority's pledge of the Fee revenues or the holders of the RMA Debt) or adopt any other order or take any other action to remove or rescind the Fee, until the earliest of:
  - (a) the date on which all principal of, premium, if any, and interest on the RMA Debt is paid in full through additional Project financing sources, revenues from operation of all or part of the Project, or any other source of revenue used to satisfy the RMA Debt, and the RMA Debt is no longer outstanding;
  - (b) the date on which the RMA Debt matures, all principal of, premium, if any, and interest on the RMA Debt is paid in full, and all RMA Debt is no longer outstanding; or
  - (c) December 31, 2008, but only if RMA Debt secured by the Fee revenue has not been issued by that date.
3. This Order shall be in effect from and after the date of its adoption.

WHEREUPON MOTION MADE BY COMMISSIONER Palacios AND SECONDED BY COMMISSIONER Hardy, THE ORDER AUTHORIZING THE PLEDGE OF THE \$10 OPTIONAL VEHICLE REGISTRATION FEE AND COMMITTING NOT TO RESCIND THE FEE UNTIL THE OCCURRENCE

available to the Authority, and the RMA Debt shall not be an obligation or payable from taxes or any other revenues of the County; and

WHEREAS, the Commissioners Court now desires to supplement the Adoption Order to confirm that the Authority will pledge Fee revenue to secure payment of the RMA Debt for so long as the RMA Debt is outstanding;

THEREFORE, BE IT NOW ORDERED BY THE HIDALGO COUNTY COMMISSIONERS COURT, that the Hidalgo County additional vehicle registration Fee may be pledged for the payment of RMA Debt issued to fund work on the Project by the Hidalgo County Regional Mobility Authority as follows:

1. The County hereby acknowledges and consents to the Authority's pledge of the Fee revenue to secure payment of the principal of, premium, if any, and interest on the RMA Debt provided such debt does not have a term in excess of forty (40) years and provided such debt is used to fund development of the Project which will benefit the County and its residents.
2. The County hereby agrees that (i) the Fee shall be in effect from and after January 1, 2008; (ii) the County shall pay the Fee receipts to the Authority promptly upon receipt; and (iii) the County shall not rescind the Adoption Order or this Order (or modify either of them in any way that would adversely affect the Authority's pledge of the Fee revenues or the holders of the RMA Debt) or adopt any other order or take any other action to remove or rescind the Fee, until the earliest of:
  - (a) the date on which all principal of, premium, if any, and interest on the RMA Debt is paid in full through additional Project financing sources, revenues from operation of all or part of the Project, or any other source of revenue used to satisfy the RMA Debt, and the RMA Debt is no longer outstanding;
  - (b) the date on which the RMA Debt matures, all principal of, premium, if any, and interest on the RMA Debt is paid in full, and all RMA Debt is no longer outstanding; or
  - (c) December 31, 2008, but only if RMA Debt secured by the Fee revenue has not been issued by that date.
3. This Order shall be in effect from and after the date of its adoption.

WHEREUPON MOTION MADE BY COMMISSIONER Palacios AND SECONDED BY COMMISSIONER Hardy, THE ORDER AUTHORIZING THE PLEDGE OF THE \$10 OPTIONAL VEHICLE REGISTRATION FEE AND COMMITTING NOT TO RESCIND THE FEE UNTIL THE OCCURRENCE

**EXHIBIT E**  
**TRANSPORTATION AND PROJECT PLEDGE AGREEMENT**



## ARTICLE I.

### DEFINITIONS

Section 1.01. Definitions. Throughout this Agreement, the following terms and expressions as used herein shall have the meanings set forth below, unless the context clearly indicates otherwise:

“Agreement” shall have the meaning set forth in the introductory paragraph of this Agreement.

“Authority” shall have the meaning set forth in the introductory paragraph of this Agreement.

“Authorizing Law” shall have the meaning set forth in the recitals of this Agreement.

“Bonds” or “Vehicle Registration Fee Revenue Bonds” shall mean one or more series of bonds issued by the Authority or an entity created by the Authority pursuant to this Agreement and the Bond Resolutions.

“County” shall have the meaning set forth in the introductory paragraph of this Agreement.

“Pledged Vehicle Fee Revenues” shall mean 100% of the funds collected by the County and the State of Texas from the levy of the Vehicle Fee, pursuant to Authorizing Law, without deduction, offset, or credit for any administrative charges or expenses incurred by the County or the Authority in connection with the levy and collection of the Vehicle Fee; provided, only that Pledged Vehicle Fee Revenues shall not include, and the County may offset and deduct, the amount of any returned checks, declined credit cards and similar deductions for amounts initially received by the County from the levy of the Vehicle Fee, but ultimately not retained by the County.

“Project” shall mean the acquisition, construction, maintenance and refinancing of any qualifying Authority long-term transportation project within the County, as approved by the Authority from time to time, and related improvements. There may be more than one Project.

“Resolution” shall mean the resolution authorizing the issuance of the Bonds.

“Vehicle Fee” shall have the meaning set forth in the recitals of this Agreement.

Section 1.02. Interpretations. All terms defined herein and all pronouns used in this Agreement shall be deemed to apply equally to singular and plural and to all gender. The titles and headings of the articles and sections of this Agreement have been inserted for convenience and shall not in any way modify or restrict any of the terms and provisions hereof. This Agreement and all the terms and provisions hereof shall be liberally construed to effectuate the purposes set forth herein.

## ARTICLE II.

### SERVICES TO BE PROVIDED

Section 2.01. Construction of the Project. The Authority agrees to develop and/or finalize all engineering plans, specifications, and details required for the implementation of the Project. The Authority further agrees to implement the Project, including contracting with all individuals or entities necessary to complete the Project pursuant to State procurement and other applicable laws and in accordance with the engineering plans, specifications and other construction documents.

Section 2.02. Maintenance of the Project. Upon full and final completion of the Project, the Authority agrees to maintain the Project in a reasonably prudent manner. Pursuant to this Agreement and notwithstanding any other provision herein, (i) the County shall not have any obligation to maintain the Project and (ii) all obligations and liabilities with respect to the Project shall be the responsibility of the Authority.

Section 2.03. Issuance of the Bonds. The Authority agrees to sell the Bonds at the earliest, most feasible date. The Authority agrees to use a portion of the proceeds of the sale of the Bonds to finance the costs of the Project and to pay the costs associated with issuing the Bonds. The Resolution shall provide that the Bonds may be secured by a pledge of the Pledged Vehicle Fee Revenues and any interest earned thereon.

## ARTICLE III.

### OBLIGATIONS OF THE COUNTY

Section 3.01. Imposition, Collection and Remittance of Vehicle Fee by the County. In accordance with Section 502.402 of the Texas Transportation Code and in consideration of the construction of the Project by the Authority, the County covenants and agrees to take all steps necessary and authorized under the Authorizing Law and other applicable laws to continuously impose, collect and remit the Vehicle Fee during the term of this Agreement in the manner and to the maximum extent permitted by applicable law. The County also covenants and agrees that it will not cause a reduction, abatement, or exemption in the Vehicle Fee or in the amount in which it is authorized to be collected. The County further covenants and agrees that, during the term of this Agreement, within 30 days of receipt of the portion of the Pledged Vehicle Fee Revenues the County collects, it will pay to the Authority 100% of the Pledged Vehicle Fee Revenues the County collects, without demand, notice, counterclaim, or offset, including any administrative charges or expenses incurred by the County in connection with the levy and collection of the Vehicle Fee or the Pledged Vehicle Fee Revenues.

Section 3.02. Obligations of County to be Absolute. During the term of this Agreement as set forth in Section 4.01 below, the obligation of the County to make the payments set forth in this Agreement shall be absolute and unconditional, and until such time as the Bonds and the paying agent/registrar's fees, if any, have been fully paid or provision for payment thereof shall have been made in accordance with the Resolution, the County will not suspend or discontinue any payments provided for in this Agreement and will not terminate this Agreement for any

cause, including, without limiting the generality of the foregoing, failure of the Authority to implement the Project at the cost estimated or in accordance with the final plans and specifications; any acts or circumstances that might constitute failure of consideration, eviction, or constructive eviction; destruction of or damage to the Project; commercial frustration of purpose; or any failure of the Authority to perform and observe any agreement, whether express or implied, or any duty, liability, or obligation arising out of or connected with this Agreement. Nothing contained in this Section shall be construed to release the Authority from performance of any of the agreements on its part contained in this Agreement, and in the event the Authority shall fail to perform any such agreement on its part, the County may institute such action against the Authority as the County may deem necessary to compel performance so long as this action does not abrogate the County's obligations to make the payments set forth in this Agreement. Nothing contained in this Section shall be construed to extend the term of this Agreement beyond the term set forth in Section 4.01 below.

Section 3.03. Collection and Calculation. Notwithstanding anything to the contrary contained in this Agreement:

- (a) The County may offset and deduct the amount of any returned checks, declined credit cards and similar deductions for amounts initially received by the County but ultimately not retained by the County, it being agreed that, in accordance with applicable law, the County will neither retain for itself any collected Vehicle Fees nor pay to the Authority pursuant to this Agreement any revenues other than the Pledged Vehicle Fee Revenues.
- (b) The County has no obligation to take any actions with respect to collection or enforcement of the Vehicle Fee; it being agreed that the obligations in Section 3.01 above are to impose the Vehicle Fee and to pay to the Authority the Pledged Vehicle Fee Revenues, and not to collect or enforce the Vehicle Fee.
- (c) In the event there is a conflict between the Parties in regards to the amount of the Pledged Vehicle Fee Revenues owed by the County, the Hidalgo County Auditor will make the final determination as to the amount of any Pledged Vehicle Fee Revenues owed by the County under this Agreement.

#### ARTICLE IV.

#### MISCELLANEOUS PROVISIONS

Section 4.01. Term. This Agreement shall be in force and effect from the date of execution hereof to the earlier of (i) maturity of the Bonds or the redemption or defeasance thereof and (ii) 40 years from the date hereof.

Section 4.02. Amendments and Supplements. This Agreement may be amended, supplemented or extended by mutual agreement of the parties hereto, but not in such manner as to impair the rights of the holders of the Bonds.

Section 4.03. Merger. This Agreement embodies the entire understanding between the parties hereto and there are no prior effective representations, warranties, or agreements between the parties hereto.

Section 4.04. Severability. The provisions of this Agreement are severable, and if any provision or part of this Agreement or the application hereof to any person or circumstance shall ever be held by any court of competent jurisdiction to be invalid or unconstitutional for any reason, the remainder of this Agreement and the application of such provision or part of this Agreement to other persons or circumstances shall not be affected thereby.

[Signature pages follow]

EXECUTED in multiple counterparts as of the date first written above.

HIDALGO COUNTY, TEXAS

By: Ramon Garcia  
Name: Ramon Garcia  
Title: County Judge

RMA Agreement 7/9/13


ATTEST:

By: Arturo Guajardo Jr  
Name: Arturo Guajardo, Jr  
Title: County Clerk

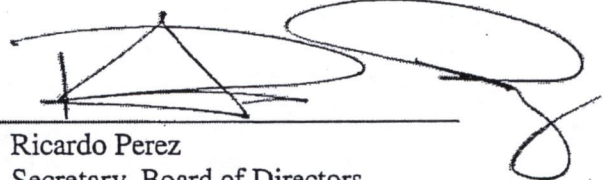
Approved by Commissioners' Court  
on 7/9/13

(SEAL)

HIDALGO COUNTY  
REGIONAL MOBILITY AUTHORITY

By:   
Name: Dennis Burleson  
Title: Chairman, Board of Directors

ATTEST:

By:   
Name: Ricardo Perez  
Title: Secretary, Board of Directors

**EXHIBIT F**

**EXCERPT FROM MINUTES OF MEETING OF THE COMMISSIONERS' COURT  
APPROVING TRANSPORTATION PROJECT AND PLEDGE AGREEMENT**

**EXHIBIT F**

**EXCERPT FROM MINUTES OF MEETING OF THE COMMISSIONERS' COURT  
APPROVING TRANSPORTATION PROJECT AND PLEDGE AGREEMENT**

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SPECIAL MEETING - JULY 9, 2013

BE IT REMEMBERED, that on this 9th day of July A.D., 2013, there was begun and held a SPECIAL MEETING of the Honorable Commissioners' Court of Hidalgo County, Texas, wherein the following members thereof were present, to-wit:

HONORABLE RAMON GARCIA	HIDALGO COUNTY JUDGE
HONORABLE A.C. CUELLAR, JR.	COMMISSIONER, PRECINCT NO. 1
HONORABLE HECTOR "TITO" PALACIOS	COMMISSIONER, PRECINCT NO. 2
HONORABLE JOE M. FLORES	COMMISSIONER, PRECINCT NO. 3
HONORABLE JOSEPH PALACIOS	COMMISSIONER, PRECINCT NO. 4

and ARTURO GUAJARDO, JR., COUNTY CLERK & EX-OFICIO CLERK OF THE COMMISSIONERS' COURT of Hidalgo County, Texas, wherein the following proceedings were had, to-wit:



**AGENDA**  
**CC REGULAR**  
**HIDALGO COUNTY**  
**COMMISSIONERS COURT MEETING**  
**July 9, 2013**  
**9:30 A.M.**

NOTICE is hereby given in accordance with Chapter 551, Texas Government Code, that a SPECIAL MEETING of the Commissioners' Court will be held at the Edinburg Council Chambers 415 W. University Drive, Edinburg, Hidalgo County, Texas. Discussion and possible action relating to the following business will be transacted:

**1. Roll Call**

All members of the Court were counted present.

**2. Pledge of Allegiance**

Felix Rodriguez led the Donna Veteran of Foreign Post in the presentation of the Colors and led the Court and Audience in reciting the Pledge of Allegiance.

**3. Prayer**

Virginia Townsend led the Court and Audience in Prayer.

**4. Approval of Consent Agenda**

The Court moved to approve the Consent Agenda.

**5. Open Forum**

-Opal Billman discussed surveys that were to be done to her home, title owners of her home, made up contracts, etc.

available to the Authority, and the RMA Debt shall not be an obligation or payable from taxes or any other revenues of the County; and

WHEREAS, the Commissioners Court now desires to supplement the Adoption Order to confirm that the Authority will pledge Fee revenue to secure payment of the RMA Debt for so long as the RMA Debt is outstanding;

THEREFORE, BE IT NOW ORDERED BY THE HIDALGO COUNTY COMMISSIONERS COURT, that the Hidalgo County additional vehicle registration Fee may be pledged for the payment of RMA Debt issued to fund work on the Project by the Hidalgo County Regional Mobility Authority as follows:

1. The County hereby acknowledges and consents to the Authority's pledge of the Fee revenue to secure payment of the principal of, premium, if any, and interest on the RMA Debt provided such debt does not have a term in excess of forty (40) years and provided such debt is used to fund development of the Project which will benefit the County and its residents.
2. The County hereby agrees that (i) the Fee shall be in effect from and after January 1, 2008; (ii) the County shall pay the Fee receipts to the Authority promptly upon receipt; and (iii) the County shall not rescind the Adoption Order or this Order (or modify either of them in any way that would adversely affect the Authority's pledge of the Fee revenues or the holders of the RMA Debt) or adopt any other order or take any other action to remove or rescind the Fee, until the earliest of:
  - (a) the date on which all principal of, premium, if any, and interest on the RMA Debt is paid in full through additional Project financing sources, revenues from operation of all or part of the Project, or any other source of revenue used to satisfy the RMA Debt, and the RMA Debt is no longer outstanding;
  - (b) the date on which the RMA Debt matures, all principal of, premium, if any, and interest on the RMA Debt is paid in full, and all RMA Debt is no longer outstanding; or
  - (c) December 31, 2008, but only if RMA Debt secured by the Fee revenue has not been issued by that date.
3. This Order shall be in effect from and after the date of its adoption.

WHEREUPON MOTION MADE BY COMMISSIONER Palacios AND SECONDED BY COMMISSIONER Hardy, THE ORDER AUTHORIZING THE PLEDGE OF THE \$10 OPTIONAL VEHICLE REGISTRATION FEE AND COMMITTING NOT TO RESCIND THE FEE UNTIL THE OCCURRENCE