



RESOLUTION NO. 20180724-01

A RESOLUTION RATIFYING THE EXECUTION OF AMENDMENT NUMBER ONE TO THE FRANCHISE AGREEMENT (FIBER COMMUNICATIONS), BETWEEN NETWORK USA, LLC AND TEXAMERICAS CENTER

RECITALS

WHEREAS, TexAmericas Center is a political subdivision of the State of Texas with the powers and authorities specified in Chapter 3503 of the Special District Local Laws Code of the State of Texas; and

WHEREAS, on or about March 1, 2017, TexAmericas Center entered into a Franchise Agreement with Network USA, LLC, to provide fiber optic cable service upon the East Campus and the Central Campus of the TexAmericas Center Industrial Park; and

WHEREAS, Network USA, LLC desires to expand the Franchise Area to include the West Campus of the TexAmericas Center Industrial Park; and

WHEREAS, TexAmericas Center desires to expand the Franchise Area in order to provide fiber optic service to assist in the attraction of business development upon the West Campus;

WHEREAS, the parties have executed Amendment Number One to the Franchise Agreement in the form attached hereto as Exhibit "A";


NOW, THEREFORE, IT IS HEREBY RESOLVED that Amendment Number One to the Franchise Agreement is hereby approved and the execution thereof is hereby ratified.

PASSED and APPROVED this 24th day of July, 2017.



Boyd Sartin, Chairman of the Board

ATTEST:



Ben King, Secretary

**AMENDMENT NUMBER ONE
TO
FRANCHISE AGREEMENT**

This Amendment Number One to Franchise Agreement is made by and between TexAmericas Center, a political subdivision of the State of Texas (“TAC”) and Network USA, LLC (“Network”) which agree as follows:

RECITALS

WHEREAS, TexAmericas Center and Network USA, LLC entered into a Franchise Agreement (Fiber Communications) dated March 1, 2017, whereby TAC granted to Network USA, LLC, a franchise to enable Network USA, LLC to install, maintain and use facilities in, through, along or under TAC’s road rights-of-way and other real property in order to provide fiber optic and communication services to residents and business owners throughout the TAC Industrial Park; and

WHEREAS, Network USA, LLC desires to continue and expand its provision of fiber optic and communication services to include not only the TAC East Campus and TAC Central Campus, but also the TAC West Campus; and

WHEREAS, TAC also desires to expand the franchise area to include the TAC West Campus in order better prepare the property located upon the TAC West Campus for future development purposes; and

WHEREAS, TAC and Network desire to set forth the terms and conditions regarding the expansion of the franchise;

NOW, THEREFORE, it is agreed by and between TAC and Network as follows:

1. The definition of the term “Franchise Area” is amended to read as follows:

“Franchise Area” means (1) the East campus of the TexAmericas Industrial Park located on U.S. Highway 82 in Bowie County, Texas, adjacent to the City of Hooks, Texas, and being that certain tract or parcel of land containing approximately 8,867 acres conveyed by the United States of America to Red River Redevelopment Authority by Deed Without Warranty dated September 1, 2010, recorded in Volume 5898, Page 1 of the Real Property Records of Bowie County, Texas, together with such other real property conveyed by the United States of America to TAC which is or was a part of the former Lone Star Army Ammunition Plant; (2) the Central campus of the TexAmericas Industrial Park located South of U.S. Highway 82, and being that certain tract or parcel of land containing approximately 765 acres conveyed by the United States of America to Red River Redevelopment Authority by Deed Without Warranty dated March 25, 1999, and recorded in Volume 3072, Page 161 of the Real Property Records of Bowie County, Texas; and (3) the West Campus of the TexAmericas Industrial Park being that certain tract or parcel of

land containing approximately 3,839.33 acres conveyed by the United State of America to Red River Redevelopment Authority by Deed Without Warranty dated September 30, 2011 and recorded in Volume 6114, Page 1 of the Real Property Records of Bowie County, Texas.

2. The address for notices to Network is as follows:

Network USA, LLC
Attn: James R. Davis
94 Francois Street
Lafayette, LA 70507

3. Except for the changes made in this Amendment Number One, all provisions of the Franchise Agreement shall continue in full force and effect and be applicable to the Franchise Area as amended.

EXECUTED this 28 day of June, 2018.

TEXAMERICAS CENTER

By: William Scott Norton
William Scott Norton,
Executive Director/CEO

NETWORK USA, LLC

By: James R. Davis
Name: James R. Davis
Title: President