



**RESOLUTION NO. 20181127-08**

**A RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR/CEO TO EXECUTE AN AMENDMENT TO THE LUMP SUM TIMBER CONTRACT BETWEEN WEYERHAEUSER 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 February 28, 2017, TexAmericas Center entered into a Lump Sum Timber Contract with Weyerhaeuser to provide timber cutting services upon the East Campus; and

**WHEREAS**, Weyerhaeuser has requested a cutting time extension of May 31, 2019 to the contract due to prolonged inclement weather conditions; and

**WHEREAS**, the parties have come to an agreement to the terms of the Amendment to the Timber Contract in the form attached hereto as Exhibit "A";

**NOW, THEREFORE, IT IS HEREBY RESOLVED** by the Board of Directors of TexAmericas Center that the Amendment to the Timber Contract is hereby approved and the Executive Director/CEO is hereby authorized to execute an Amendment to the Timber Contract in substantially the same form attached hereto.

**PASSED and APPROVED** this 27<sup>th</sup> day of November, 2018.

  
\_\_\_\_\_  
**Boyd Sartin, Chairman of the Board**

**ATTEST:**

  
\_\_\_\_\_  
**Ben King, Secretary**

Attached: Exhibit "A" Timber Contract Amendment

After recording return to:

Weyerhaeuser NR Company  
120 Main Ave.  
Dierks, Ar 71833  
Attn: Jamie Ackley

AMENDMENT TO TIMBER DEED

THIS AMENDMENT amends that certain Timber Deed dated March 29, 2017 between TEXAMERICA CENTER (as Grantor) and WEYERHAEUSER NR COMPANY (as Grantee), as recorded with the county clerk for Bowie County, Texas under recording number 2017-3330 (the "Timber Deed").

Grantor and Grantee agree as follows:

1. The Term of the Timber Deed is extended until May 31, 2019.
2. Except as amended hereby, the Timber Deed remains in full force and effect as though set forth in full herein.

IN WITNESS WHEREOF, Grantor and Grantee have executed and delivered this Amendment to Timber Deed on the 27<sup>th</sup> day of November, 2018.


GRANTOR:

TEXAMERICA CENTER

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

  
SCOTT NUHN  
Executive Director/CEO


GRANTEE:

WEYERHAEUSER NR COMPANY

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

  
MICHAEL H. JOHNSTON  
Procurement Rep

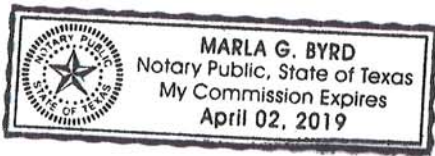
ACKNOWLEDGMENTS

STATE OF Texas )

COUNTY OF Bowie )

On this the 27<sup>th</sup> day of November, 2018, before the undersigned Notary Public, personally appeared Scott Norton, known to me to be the person that executed the foregoing instrument on behalf of TEXAMERICA CENTER, and acknowledged said instrument to be the free and voluntary act and deed of such person, for the uses and purposes therein mentioned, and on oath stated that s/he is authorized to execute said instrument.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.



Marla G. Byrd

Marla G. Byrd

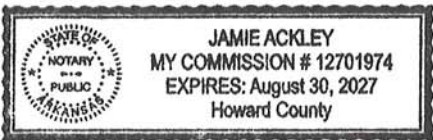
Notary Public in and for the State of Texas  
My Commission Expires: 4-2-2019

STATE OF Arkansas )

COUNTY OF Howard )

On this the 10<sup>th</sup> day of December, 2018, before the undersigned Notary Public, personally appeared Michael Johnston, known to me to be the person that executed the foregoing instrument on behalf of WEYERHAEUSER NR COMPANY, and acknowledged said instrument to be the free and voluntary act and deed of such person, for the uses and purposes therein mentioned, and on oath stated that s/he is authorized to execute said instrument.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.



Jamie Ackley

Notary Public in and for the State of Arkansas  
My Commission Expires: 8/30/2027