



RESOLUTION NO. 20190528-08

**A RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR/CEO TO EXECUTE
AMENDMENT TWO 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, on or about November 27, 2018, TexAmericas Center and Weyerhaeuser modified that contract with **RESO NO. 20181127-08** to provide a cutting time extension to May 31, 2019 to the contract due to prolonged inclement weather conditions; and

WHEREAS, Weyerhaeuser has requested a cutting time extension of September 15, 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 28th day of May, 2019.



Boyd Sartin, Chairman of the Board

ATTEST:



Ben King, Secretary

Attached: Exhibit "A" Timber Contract Amendment Two

n:\tac\agenda pkg and minutes\board info 2019\20190528 board meeting\reso 20190528-08 execute amendment 2 to weyerhauser lump sum contract.docx

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 TEXAMERICASCENTER (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 September 15, 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 28 day of May, 2019.

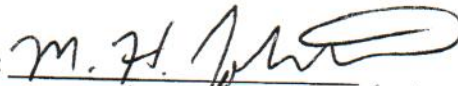
GRANTOR:

TEXAMERICASCENTER

By: 
Name: Scott Norton
Title: Executive Director/CEO

GRANTEE:

WEYERHAEUSER NR COMPANY

By: 
Name: Michael H Johnston
Title: Procurement Rep

ACKNOWLEDGMENT

STATE OF Texas)

COUNTY OF Bowie)

On this the 25th day of May, 20 19, before the undersigned Notary Public, personally appeared Scott Norton and N/A, known to me to be the persons whose name is subscribed to the within instrument as Grantor, and acknowledged that they executed the same for the purposes therein contained.

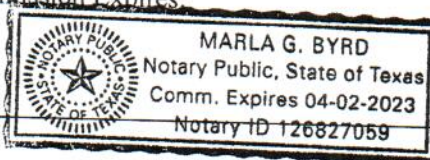
IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Marla G. Byrd

Marla G. Byrd

Notary Public

My Commission Expires:



ACKNOWLEDGMENT

STATE OF Arkansas)

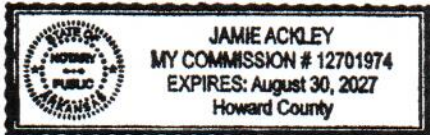
)

COUNTY OF Howard)

On this the 5th day of June, 2019, before the undersigned Notary Public, personally appeared Michael Johnston known to me to be the agent of WEYERHAEUSER NR COMPANY, a Washington corporation, the company that executed the foregoing instrument as GRANTEE, and acknowledged that they executed the same for the purposes therein contained.

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

Jamie Ackley
Notary Public



My Commission Expires:

8-30-2027
