

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

RESOLUTION NO. 13-39

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, Cass, Panola, Van Zandt, Wood and Titus joined the NET RMA and are represented on the Board of Directors; and

WHEREAS, on February 12, 2007, the Commissioners Court of Cass County adopted a resolution evidencing Cass County’s desire to become part of the NET RMA and authorizing the Cass County Judge to execute and submit to the Texas Transportation Commission (the “Commission”) a “Petition of Cass County for Approval to Become Part of the North East Texas Regional Mobility Authority” (the “Petition”); and

WHEREAS, on July 26, 2007, in Minute Order 110996, the Commission approved the Petition; and

WHEREAS, the Cass County Commissioners Court has notified the NET RMA that it has determined that membership in the NET RMA is no longer in the County’s best interest; and

WHEREAS, the Commission has adopted rules for the withdrawal of counties from a regional mobility authority, set forth in Section 26.22 of the RMA Rules; and

WHEREAS, on October 29, 2013, a “Petition of Cass County To Withdraw From the North East Texas Regional Mobility Authority” (“Withdrawal Petition”) was submitted to the Texas Department of Transportation (“TxDOT”) for consideration by the Commission in accordance with Section 26.22(a) of the RMA Rules; and

WHEREAS, Section 26.22(a) provides that the Commission may approve a petition for the withdrawal of a county only if the regional mobility authority has no bonded indebtedness; and

WHEREAS, the NET RMA currently has no bonded indebtedness; and

WHEREAS, Section 26.22(b) provides that if the regional mobility authority has any debt other than bonded indebtedness, the petitioning county must obtain the approval of the board of the regional mobility authority; and

WHEREAS, the NET RMA currently has certain outstanding financial obligations in relation to its agreements with TxDOT.

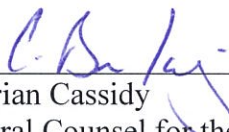
NOW THEREFORE, BE IT RESOLVED, that the NET RMA Board of Directors approves the withdrawal of Cass County from the NET RMA; and

BE IT FURTHER RESOLVED, that the NET RMA Board of Directors and the NET RMA Interim Executive Director are authorized to take any such actions as may be necessary to secure approval of the Commission for the withdrawal of Cass County from the NET RMA.

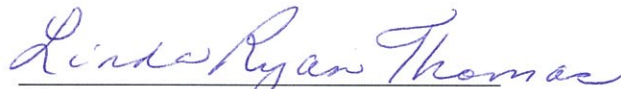
Adopted by the Board of Directors of the North East Texas Regional Mobility Authority on the 12th day of November, 2013.

Submitted and reviewed by:

Approved:



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



Linda Ryan Thomas
Chair, Board of Directors
Resolution Number 13-39
Date Passed: 11/12/13