



**SYDNEY MURPHY**

COUNTY JUDGE

June 28, 2016

Jeff Waits, District Manager  
Resource Management Service, LLC  
P.O. Box 359  
Livingston, Texas 77351

Re: Resource Management Service, LLC (RMS) Request for Access through Property owned by Polk County, Texas (the County)

Dear Mr. Waits,

In a regular session held June 28, 2016, the Polk County Commissioners Court approved your access request for use of the roadway on County property located on the south side of FM942 across from the Polk County Landfill. We understand that the access is for the purpose of harvesting, site preparing and planting approximately thirty acres of RMS land situated south of the County owned property, which should be completed no later than March 2018.

This letter will set out the agreement between RMS and Polk County, as follows;

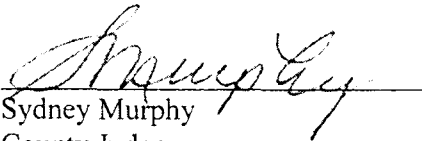
- Polk County will allow RMS the requested access during the specified periods (see map attached) beginning June 28, 2016 and ending March 31, 2019 unless amended by mutual written agreement;
- RMS will conduct operations so as to prevent any accumulation of debris and/or mud on FM942 that might potentially present a hazard to other vehicular traffic;
- Should extreme weather present conditions in which RMS access would, in the County's sole discretion, cause unreasonable damage to County property, the County or an authorized representative of Santek Environmental (the County's contracted Landfill operator) may suspend RMS access through County property until such time that conditions are resolved;
- Polk County will make a physical inspection of the subject site prior to, during and at the conclusion of the period agreed upon herein.
- During the pendency of this agreement, should an inspection of the subject county property reveal that, in the County's sole discretion, RMS's use of the property has caused (a) actual or potentially dangerous condition(s), or (b) actual or nuisance condition(s), the County shall notify RMS's authorized representative of said condition in writing, and RMS will have ten days from receipt of the notice to remedy said condition. If said

condition is not remedied within the ten day period stated above, it shall be grounds for the County to terminate this agreement automatically.

- Upon expiration of the access period stated herein, RMS agrees to repair any damage to County property resulting from RMS access and to restore County property to a condition equal to or better than the condition of the property prior to the commencement of RMS access, to the reasonable satisfaction of the County, and the County hereby waives the requirement of a surety bond for said repair/s.

We greatly appreciate your environmental efforts in this area and the good stewardship of your properties in Polk County. Should you have any questions or if we can be of any further assistance, please feel to contact my office.

Sincerely,

  
Sydney Murphy  
County Judge  
Polk County, Texas  
sydney.murphy@co.polk.tx.us

(Approved by the Polk County Commissioners Court in a Regular Session held June 28, 2016.)

Agreed by Resource Management Service, LLC:

\_\_\_\_\_

Authorized Signature

Date: \_\_\_\_\_

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

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

Address: \_\_\_\_\_



Phone: \_\_\_\_\_

Email: \_\_\_\_\_

## Road Use Request

Red Mountain Harvesting (Harvesting Branch of Resource Management Service) is requesting the use of the redlined road for three periods of time. 4-6 weeks in the 3rd Quarter of 2017 for logging purposes, 2 weeks in the 3rd Quarter 2018 for Site Prep purposes, and 1 week in the first Quarter 2019 for planting purposes.

### Legend

-  Feature 1
-  Path Measure

Google earth

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2000 ft