

COLLIN COUNTY

NOVATION AGREEMENT

This agreement is hereby released by **BALLOU CONSTRUCTION COMPANY, INC.**, and entered into by and between **BALLOU PAVEMENT SOLUTIONS, INC.**, P.O. Box 2300, Salina, KS, and COLLIN COUNTY, TEXAS;

WITNESSETH THAT

WHEREAS, COLLIN COUNTY entered into an agreement with **BALLOU CONSTRUCTION COMPANY, INC.**, Commissioners' Court Order No. 2010-157-02-22 for Maintenance, Road: Microsurfacing.

WHEREAS, **BALLOU CONSTRUCTION COMPANY, INC.** has sold, assigned, transferred, and conveyed certain of their assets, contracts, rights and holdings to **TERRY ASPHALT MATERIALS INC., dba. BALLOU PAVEMENT SOLUTIONS, INC.** on or about January 1, 2011.

**BALLOU CONSTRUCTION COMPANY, INC.**

BY: Donald J. Kaiden  
Donald J. Kaiden

TITLE: President

DATE: 5/31/2011

WHEREAS, **BALLOU PAVEMENT SOLUTIONS, INC.**, is in a position to fully perform the agreement, and such duties and obligations as may exist under the agreement;

THEREFORE, **BALLOU PAVEMENT SOLUTIONS, INC.**, agrees to provide and COLLIN COUNTY agrees to accept, the herein described services under the same terms, conditions and pricing of the agreement with **BALLOU CONSTRUCTION COMPANY, INC.**

**BALLOU PAVEMENT SOLUTIONS, INC.**

BY: Donald J. Kaiden  
Donald J. Kaiden

TITLE: President

DATE: 5/31/2011

WHEREAS, it is consistent with COLLIN COUNTY'S interest to recognize **BALLOU PAVEMENT SOLUTIONS, INC.** as the successor party to the contract;

**COLLIN COUNTY**

BY: Frank Ybarbo  
Frank Ybarbo

TITLE: Purchasing Agent

COURT ORDER NO. 2011-368-06-13

EXECUTED THIS DAY:

DATE 6/15/11