

AGREEMENT

FOR CARRYING OUT NATIONAL POLICY RELATIVE TO CONTROL OF OUTDOOR ADVERTISING
IN AREAS ADJACENT TO THE NATIONAL SYSTEM OF INTERSTATE AND DEFENSE HIGHWAYS
AND THE FEDERAL-AID PRIMARY SYSTEM.

THIS AGREEMENT MADE AND ENTERED INTO THIS 2ND DAY OF MAY,
1972, BY AND BETWEEN THE UNITED STATES OF AMERICA, REPRESENTED BY THE
SECRETARY OF TRANSPORTATION, ACTING BY AND THROUGH THE FEDERAL HIGHWAY
ADMINISTRATOR, HEREINAFTER REFERRED TO AS THE "ADMINISTRATOR," AND THE
STATE OF TEXAS, REPRESENTED BY THE STATE HIGHWAY COMMISSION, ACTING BY AND
THROUGH THE STATE HIGHWAY ENGINEER, HEREINAFTER REFERRED TO AS THE "STATE."
WITNESSETH:

WHEREAS, CONGRESS HAS DECLARED THAT OUTDOOR ADVERTISING IN AREAS ADJACENT TO
THE INTERSTATE AND FEDERAL-AID PRIMARY SYSTEMS SHOULD BE CONTROLLED IN ORDER
TO PROTECT THE PUBLIC INVESTMENT IN SUCH HIGHWAYS, TO PROMOTE THE SAFETY
AND RECREATIONAL VALUE OF PUBLIC TRAVEL AND TO PRESERVE NATURAL BEAUTY; AND,

WHEREAS, SECTION 131(D) OF TITLE 23, UNITED STATES CODE, AUTHORIZES THE
SECRETARY OF TRANSPORTATION TO ENTER INTO AGREEMENTS WITH THE SEVERAL STATES
TO DETERMINE THE SIZE, LIGHTING AND SPACING OF SIGNS, DISPLAYS AND DEVICES,
CONSISTENT WITH CUSTOMARY USE, WHICH MAY BE ERECTED AND MAINTAINED WITHIN
660 FEET OF THE NEAREST EDGE OF THE RIGHT OF WAY WITHIN AREAS ADJACENT TO THE
INTERSTATE AND FEDERAL-AID PRIMARY SYSTEMS WHICH ARE ZONED INDUSTRIAL OR
COMMERCIAL UNDER AUTHORITY OF STATE LAW OR IN UNZONED COMMERCIAL OR INDUSTRIAL
AREAS, ALSO TO BE DETERMINED BY AGREEMENT; AND,

WHEREAS, SECTION 4(C) OF SENATE BILL NO. 3, ADOPTED BY THE SECOND SPECIAL
SESSION OF THE 62ND TEXAS LEGISLATURE, AUTHORIZES THE STATE HIGHWAY COMMISSION
TO ENTER INTO NEGOTIATIONS WITH THE FEDERAL GOVERNMENT WITH RESPECT TO THE
REGULATION AND CONTROL OF OUTDOOR ADVERTISING; AND,

WHEREAS, THE PURPOSE OF SAID AGREEMENT IS TO PROMOTE THE REASONABLE, ORDERLY AND EFFECTIVE DISPLAY OF OUTDOOR ADVERTISING WHILE REMAINING CONSISTENT WITH THE NATIONAL POLICY TO PROTECT THE PUBLIC INVESTMENT IN THE INTERSTATE AND FEDERAL-AID PRIMARY HIGHWAYS, TO PROMOTE THE SAFETY AND RECREATIONAL VALUE OF PUBLIC TRAVEL AND TO PRESERVE NATURAL BEAUTY; AND,

WHEREAS, THE STATE OF TEXAS DESIRES TO IMPLEMENT AND CARRY OUT THE PROVISIONS OF SECTION 131 OF TITLE 23, UNITED STATES CODE, AND THE NATIONAL POLICY IN ORDER TO REMAIN ELIGIBLE TO RECEIVE THE FULL AMOUNT OF ALL FEDERAL-AID HIGHWAY FUNDS TO BE APPORTIONED TO SUCH STATE ON OR AFTER JANUARY 1, 1968, UNDER SECTION 104 OF TITLE 23, UNITED STATES CODE.

NOW, THEREFORE, IN CONSIDERATION OF THE PREMISES AFORESAID, THE PARTIES HERETO DO MUTUALLY AGREE AS FOLLOWS:

I. DEFINITIONS

A. THE TERM "HIGHWAY BEAUTIFICATION ACT" MEANS SECTION 131 OF TITLE 23, UNITED STATES CODE (1965) AND FOR THE PURPOSES OF THIS AGREEMENT, REFERENCE IS MADE SPECIFICALLY TO TITLE I OF THE SAID HIGHWAY BEAUTIFICATION ACT OF 1965.

B. A "ZONED COMMERCIAL OR INDUSTRIAL AREA" UNDER AUTHORITY OF STATE LAW SHALL MEAN LAND THAT HAS BEEN ZONED AS COMMERCIAL OR INDUSTRIAL BY THE STATE OR ANY POLITICAL SUBDIVISION OF THE STATE TO WHICH LEGAL AUTHORITY HAS BEEN DELEGATED BY STATE LAW.

C. AN "UNZONED COMMERCIAL OR INDUSTRIAL AREA" SHALL MEAN AN AREA IN WHICH THE LAND USE IS NOT ZONED UNDER AUTHORITY OF LAW BUT WHICH IS WITHIN A DISTANCE OF 800 FEET OF ONE OR MORE RECOGNIZED COMMERCIAL OR INDUSTRIAL ACTIVITIES; ~~HOWEVER, WITHIN CITIES OF 40,000 POPULATION OR MORE, WHERE NO MUNICIPAL ZONING IS IN EFFECT, AN "UNZONED COMMERCIAL OR INDUSTRIAL AREA" SHALL MEAN AN AREA WITHIN 1500 FEET OF ONE OR MORE RECOGNIZED COMMERCIAL OR INDUSTRIAL ACTIVITIES, EXCEPT THAT THE AREA SHALL NOT INCLUDE:~~

1. LAND WITHIN 500 FEET OF A PUBLIC PARK, PUBLIC FOREST, PUBLIC PLAYGROUND OR SCENIC AREA WHICH IS ADJACENT TO THE HIGHWAY; OR
2. LAND WITHIN 500 FEET OF TWO OR MORE RESIDENCES; OR
3. LAND WHICH EXTENDS FURTHER THAN 500 FEET INTO UNDEVELOPED OR AGRICULTURAL LANDS WHERE SUCH LANDS EXTEND FOR ONE-HALF MILE OR MORE ON THE SAME SIDE OF THE HIGHWAY.

OTHER DETAILED CHARACTERISTICS OF SAID AREAS:

1. SHALL BE LOCATED ON THE SAME SIDE OF THE HIGHWAY AS PRINCIPAL PART OF SAID ACTIVITY.
2. NOT PREDOMINANTLY USED FOR RESIDENTIAL PURPOSES.

D. "COMMERCIAL OR INDUSTRIAL ACTIVITIES" AS USED IN "C" ABOVE MEAN THOSE CUSTOMARILY PERMITTED ONLY IN ZONED COMMERCIAL OR INDUSTRIAL AREAS EXCEPT THAT NONE OF THE FOLLOWING SHALL BE CONSIDERED COMMERCIAL OR INDUSTRIAL ACTIVITIES:

1. OUTDOOR ADVERTISING STRUCTURES.
2. AGRICULTURAL, FORESTRY, RANCHING, GRAZING, FARMING AND RELATED ACTIVITIES INCLUDING BUT NOT LIMITED TO TEMPORARY WAYSIDE FRESH PRODUCE STANDS.
3. ACTIVITIES NOT HOUSED IN A PERMANENT BUILDING OR STRUCTURE.
4. ACTIVITIES NOT VISIBLE FROM THE TRAFFIC LANES OF THE MAIN TRAVELED WAY.

5. ACTIVITIES CONDUCTED IN A BUILDING PRIMARILY USED AS A RESIDENCE.

6. RAILROAD RIGHT OF WAY.

7. ACTIVITIES MORE THAN 660 FEET FROM THE EDGE OF THE RIGHT OF WAY.

ALL MEASUREMENTS SHOULD BE FROM THE OUTER EDGES OF THE REGULARLY USED BUILDINGS, PARKING LOTS, STORAGE OR PROCESSING AREAS OF THE COMMERCIAL OR INDUSTRIAL ACTIVITIES AND SHALL BE ALONG OR PARALLEL TO THE EDGE OF THE PAVEMENT OF THE HIGHWAY.

MEASUREMENTS SHALL NOT BE FROM THE PROPERTY LINES OF THE ACTIVITIES UNLESS SAID PROPERTY LINES COINCIDE WITH THE REGULARLY USED BUILDINGS, PARKING LOTS, STORAGE OR PROCESSING AREAS.

E. "NATIONAL SYSTEM OF INTERSTATE AND DEFENSE HIGHWAYS AND INTERSTATE SYSTEM" MEANS THE SYSTEM PRESENTLY DEFINED IN SUBSECTION (D) OF SECTION 103 OF TITLE 23, UNITED STATES CODE.

F. "FEDERAL-AID PRIMARY HIGHWAY" MEANS ANY HIGHWAY WITHIN THAT PORTION OF THE STATE HIGHWAY SYSTEM AS ESTABLISHED AND MAINTAINED AS A PRIMARY HIGHWAY, INCLUDING EXTENSIONS OF SUCH SYSTEM WITHIN MUNICIPALITIES, WHICH HAS BEEN APPROVED PURSUANT TO SUBSECTION (B) OF SECTION 103 OF TITLE 23, UNITED STATES CODE.

G. "TRAVELED WAY" MEANS THAT PORTION OF THE ROADWAY USED FOR THE MOVEMENT OF VEHICLES, EXCLUSIVE OF SHOULDERS AND AUXILIARY LANES.

H. "MAIN TRAVELED WAY" MEANS THE THROUGH TRAFFIC LANES EXCLUSIVE OF FRONTAGE ROADS, AUXILIARY LANES AND RAMPS.

I. "OUTDOOR ADVERTISING" OR "SIGN" MEANS AN OUTDOOR SIGN, LIGHT, DISPLAY, DEVICE, FIGURE, PAINTING, DRAWING, MESSAGE, PLACARD, POSTER, BILLBOARD OR OTHER THING WHICH IS DESIGNATED, INTENDED OR USED TO ADVERTISE OR INFORM, ANY PART OF THE ADVERTISING OR INFORMATIVE CONTENTS OF WHICH IS VISIBLE FROM ANY PLACE ON THE MAIN TRAVELED WAY OF THE INTERSTATE OR FEDERAL-AID PRIMARY HIGHWAY.

J. "ERECT" MEANS TO CONSTRUCT, BUILD, RAISE, ASSEMBLE, PLACE, AFFIX, ATTACH, CREATE, PAINT, DRAW OR, IN ANY OTHER WAY, BRING INTO BEING OR ESTABLISH EXCEPT WHEN PERFORMED INCIDENTAL TO THE CHANGE OF AN ADVERTISING MESSAGE OR TO NORMAL MAINTENANCE OR REPAIR OF AN EXISTING SIGN.

K. "FREEWAY" MEANS A DIVIDED HIGHWAY WITH FULL CONTROL OF ACCESS.

II. SCOPE OF AGREEMENT

THIS AGREEMENT SHALL APPLY TO ALL ZONED AND UNZONED COMMERCIAL AND INDUSTRIAL AREAS WITHIN 660 FEET OF THE NEAREST EDGE OF THE RIGHT OF WAY OF ALL PORTIONS OF THE INTERSTATE AND PRIMARY SYSTEMS WITHIN THE STATE OF TEXAS IN WHICH OUTDOOR ADVERTISING SIGNS, DISPLAYS AND DEVICES, EXCLUSIVE OF OFFICIAL SIGNS AND ON-PREMISE SIGNS, ERECTED SUBSEQUENT TO EFFECTIVE DATE OF AGREEMENT OR REGULATION MAY BE VISIBLE FROM THE MAIN TRAVELED WAY OF SAID SYSTEM.

III. STATE CONTROL

A. THE STATE HEREBY AGREES THAT, IN ALL AREAS WITHIN THE SCOPE OF THIS AGREEMENT, THE STATE SHALL EFFECTIVELY CONTROL, OR CAUSE TO BE CONTROLLED, THE ERECTION AND MAINTENANCE OF OUTDOOR ADVERTISING SIGNS, DISPLAYS AND DEVICES ERECTED SUBSEQUENT TO THE EFFECTIVE DATE OF THIS AGREEMENT OTHER THAN THOSE ADVERTISING THE SALE OR LEASE OF THE PROPERTY ON WHICH THEY ARE LOCATED, OR ACTIVITIES CONDUCTED THEREON, IN ACCORDANCE WITH THE FOLLOWING:

1. IN COMMERCIAL AND INDUSTRIAL ZONES, THE STATE MAY DISCHARGE ITS OBLIGATION UNDER THIS AGREEMENT BY A CERTIFICATION THAT A POLITICAL SUBDIVISION HAS ESTABLISHED AND WILL ENFORCE WITHIN ITS GEOGRAPHICAL JURISDICTION STANDARDS AND CRITERIA FOR SIZE, LIGHTING AND SPACING OF OUTDOOR ADVERTISING SIGNS CONSISTENT WITH THE PURPOSES OF THE HIGHWAY BEAUTIFICATION ACT OF 1965 AND WITH CUSTOMARY USE.

2. IN ALL OTHER ZONED AND UNZONED COMMERCIAL AND INDUSTRIAL AREAS, THE CRITERIA SET FORTH HEREINAFTER SHALL APPLY.

B. SHOULD ANY COMMERCIAL OR INDUSTRIAL ACTIVITY LOCATED IN AN AREA WHICH HAS BEEN DEFINED AS UNZONED COMMERCIAL OR INDUSTRIAL AREA UNDER SECTION ONE (1) CEASE TO OPERATE, ANY SIGNS IN SAID UNZONED COMMERCIAL OR INDUSTRIAL AREA SHALL BECOME NONCONFORMING AND SHALL BE REMOVED NOT LATER THAN FIVE YEARS FOLLOWING THE CESSATION OF THE OPERATION OF THE COMMERCIAL OR INDUSTRIAL ACTIVITY.

C. THE FOLLOWING SIGNS SHALL NOT BE PERMITTED.

1. SIGNS WHICH IMITATE OR RESEMBLE ANY OFFICIAL TRAFFIC SIGN, SIGNAL OR DEVICE.
2. SIGNS WHICH ARE ERECTED OR MAINTAINED UPON TREES OR PAINTED OR DRAWN UPON ROCKS OR OTHER NATURAL FEATURES.

D. SIZE OF SIGNS.

1. A. NO SIGN SHALL EXCEED THE FOLLOWING LIMITS:
 - (1) MAXIMUM AREA - 1,200 SQUARE FEET
 - (2) MAXIMUM HEIGHT - 25 FEET
 - (3) MAXIMUM LENGTH - 60 FEET

E. ALL DIMENSIONS INCLUDE BORDER AND TRIM, BUT EXCLUDE SUPPORTS.

2. DOUBLE FACED, BACK-TO-BACK OR V TYPE SIGNS SHALL BE CONSIDERED AS ONE SIGN.
3. SIGNS WHICH EXCEED 350 SQUARE FEET IN AREA MAY NOT BE DOUBLE FACED (STACKED OR SIDE-BY-SIDE).

E. SPACING OF SIGNS: INTERSTATE AND PRIMARY HIGHWAYS.

1. SIGNS MAY NOT BE LOCATED IN SUCH A MANNER AS TO OBSCURE OR OTHERWISE INTERFERE WITH THE EFFECTIVENESS OF AN OFFICIAL TRAFFIC SIGN, SIGNAL OR DEVICE, OR WHICH OBSTRUCT OR INTERFERE WITH THE DRIVER'S VIEW OF APPROACHING, MERGING OR INTERSECTING TRAFFIC.
2. SIGNS MAY NOT BE LOCATED WITHIN 500 FEET OF ANY PUBLIC PARK, PUBLIC FOREST, PUBLIC PLAYGROUND OR SCENIC AREA DESIGNATED AS SUCH BY THE STATE HIGHWAY DEPARTMENT OR OTHER GOVERNMENTAL AGENCY HAVING AND EXERCISING SUCH AUTHORITY, WHICH IS ADJACENT TO THE HIGHWAY.
3. SIGNS MAY NOT BE LOCATED ADJACENT TO OR WITHIN 500 FEET OF INTERCHANGES, INTERSECTIONS AT GRADE AND REST AREAS ON INTERSTATE AND FREEWAY HIGHWAYS OUTSIDE INCORPORATED MUNICIPALITIES OR WHICH WILL TEND TO OBSCURE OR OTHERWISE INTERFERE WITH THE DRIVER'S VIEW OF APPROACHING, MERGING OR INTERSECTING TRAFFIC. SUCH DISTANCE SHALL BE MEASURED ALONG THE HIGHWAY FROM THE NEAREST POINT OF THE BEGINNING OR ENDING OF PAVEMENT WIDENING AT THE EXIT FROM, OR ENTRANCE TO, THE MAIN TRAVELED WAY.

4. SIGNS MAY NOT BE ERECTED ON THE INTERSTATE AND FREEWAY PRIMARY SYSTEMS CLOSER THAN 500 FEET APART ON THE SAME SIDE OF THE HIGHWAY.
5. SIGNS MAY NOT BE ERECTED ON THE NON-FREEWAY PRIMARY SYSTEM LOCATED OUTSIDE OF INCORPORATED CITIES, TOWNS OR VILLAGES CLOSER THAN 300 FEET APART ON THE SAME SIDE OF THE HIGHWAY.
6. SIGNS MAY NOT BE ERECTED ON THE NON-FREEWAY PRIMARY SYSTEM IN INCORPORATED CITIES, TOWNS AND VILLAGES CLOSER THAN 100 FEET APART ON THE SAME SIDE OF THE HIGHWAY.
7. THE ABOVE SPACING BETWEEN SIGNS SHALL NOT APPLY TO SIGNS SEPARATED BY BUILDINGS, NATURAL SURROUNDINGS OR OTHER OBSTRUCTIONS WHICH CAUSE ONLY ONE SIGN LOCATED WITHIN THE SPECIFIED SPACING TO BE VISIBLE AT ANY ONE TIME.
8. THE ABOVE SPACING RULES DO NOT APPLY TO ON-PREMISE OR DIRECTIONAL OR OTHER OFFICIAL SIGNS, AS DEFINED IN SECTION 131(c) OF THE ACT, NOR SHALL MEASUREMENTS BE MADE FROM SUCH SIGNS FOR THE PURPOSES OF THIS AGREEMENT.

F. LIGHTING: SIGNS MAY BE ILLUMINATED, SUBJECT TO THE FOLLOWING RESTRICTIONS:

1. SIGNS WHICH CONTAIN, INCLUDE OR ARE ILLUMINATED BY ANY FLASHING, INTERMITTENT OR MOVING LIGHT OR LIGHTS ARE PROHIBITED, EXCEPT THOSE GIVING PUBLIC SERVICE INFORMATION SUCH AS TIME, DATE, TEMPERATURE, WEATHER OR SIMILAR INFORMATION.

2. LIGHTS WHICH ARE NOT EFFECTIVELY SHIELDED AS TO PREVENT BEAMS OR RAYS OF LIGHT FROM BEING DIRECTED AT ANY PORTION OF THE TRAVELED WAYS OF THE INTERSTATE OR PRIMARY HIGHWAY AND WHICH ARE OF SUCH INTENSITY OR BRILLIANCE AS TO CAUSE GLARE OR TO IMPAIR THE VISION OF THE DRIVER OF ANY MOTOR VEHICLE, OR WHICH OTHERWISE INTERFERE WITH ANY DRIVER'S OPERATION OF A MOTOR VEHICLE ARE PROHIBITED.
3. NO SIGN SHALL BE SO ILLUMINATED THAT IT INTERFERES WITH THE EFFECTIVENESS OF OR OBSCURES AN OFFICIAL TRAFFIC SIGN, DEVICE OR SIGNAL.

IN WITNESS WHEREOF THE PARTIES HERETO HAVE EXECUTED THIS AGREEMENT ON THIS
THE 2ND DAY OF MAY, 1972.

UNITED STATES OF AMERICA
DEPARTMENT OF TRANSPORTATION

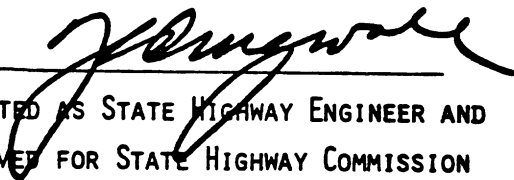
BY:


Dep. FEDERAL HIGHWAY ADMINISTRATOR

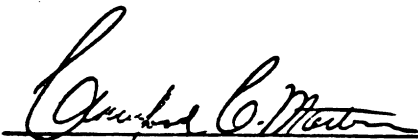
STATE OF TEXAS
TEXAS HIGHWAY COMMISSION

CERTIFIED AS BEING EXECUTED FOR THE
PURPOSE AND EFFECT OF ACTIVATING AND/OR
CARRYING OUT THE ORDERS, ESTABLISHED
POLICIES, OR WORK PROGRAMS HERETOFORE
APPROVED AND AUTHORIZED BY THE STATE
HIGHWAY COMMISSION.

BY:


EXECUTED AS STATE HIGHWAY ENGINEER AND
APPROVED FOR STATE HIGHWAY COMMISSION
BY MINUTE NUMBER 60394 DATED JANUARY
16, 1968, AND MINUTE NUMBER 66107
DATED MAY 1, 1972.

APPROVED AS TO FORM:


ATTORNEY GENERAL OF TEXAS

SUPPLEMENTAL AGREEMENT

WHEREAS, BY AGREEMENT MADE AND ENTERED INTO ON THE 2ND DAY OF MAY, 1972, BY AND BETWEEN THE UNITED STATES OF AMERICA, REPRESENTED BY THE SECRETARY OF TRANSPORTATION, ACTING BY AND THROUGH THE FEDERAL HIGHWAY ADMINISTRATOR AND THE STATE OF TEXAS, REPRESENTED BY THE TEXAS HIGHWAY COMMISSION, ACTING BY AND THROUGH THE STATE HIGHWAY ENGINEER, THE PARTIES THERETO AGREED TO CARRY OUT THE NATIONAL POLICY RELATIVE TO CONTROL OF OUTDOOR ADVERTISING IN AREAS ADJACENT TO THE NATIONAL SYSTEM OF INTERSTATE AND DEFENSE HIGHWAYS AND THE FEDERAL-AID PRIMARY SYSTEM; AND,

WHEREAS, SAID AGREEMENT DEFINED AMONG OTHER ITEMS THE LIMITS FOR CONTROL OF OUTDOOR ADVERTISING IN "UNZONED COMMERCIAL AND INDUSTRIAL AREAS;" AND,

WHEREAS, IT IS NOW APPARENT THAT THE DEFINITION OF "UNZONED COMMERCIAL AND INDUSTRIAL AREAS" FOR CITIES OF 40,000 POPULATION OR MORE IS CONSIDERED TO BE DISCRIMINATORY, VAGUE AND INCONSISTENT WITH SENATE BILL NO. 3 ADOPTED BY THE SECOND SPECIAL SESSION OF THE 62ND TEXAS LEGISLATURE.

NOW, THEREFORE, IN CONSIDERATION OF THE PREMISES AFORESAID, THE PARTIES HERETO DO MUTUALLY AGREE TO MODIFY THE ORIGINAL AGREEMENT AS FOLLOWS:

SECTION I.C. BEGINNING ON PAGE 2 IS AMENDED BY CHANGING THE SEMI-COLON AFTER THE WORDS "INDUSTRIAL ACTIVITIES" TO A PERIOD AND STRIKING THE FOLLOWING LANGUAGE:

"HOWEVER, WITHIN CITIES OF 40,000 POPULATION OR MORE, WHERE NO MUNICIPAL ZONING IS IN EFFECT, AN 'UNZONED COMMERCIAL OR INDUSTRIAL AREA' SHALL MEAN AN AREA WITHIN 1500 FEET OF ONE OR MORE RECOGNIZED COMMERCIAL OR INDUSTRIAL ACTIVITIES, EXCEPT THAT THE AREA SHALL NOT INCLUDE:

1. LAND WITHIN 500 FEET OF A PUBLIC PARK, PUBLIC FOREST,
PUBLIC PLAYGROUND OR SCENIC AREA WHICH IS ADJACENT TO THE
HIGHWAY; OR

2. LAND WITHIN 500 FEET OF TWO OR MORE RESIDENCES; OR

3. LAND WHICH EXTENDS FURTHER THAN 500 FEET INTO UNDEVELOPED
OR AGRICULTURAL LANDS WHERE SUCH LANDS EXTEND FOR ONE-HALF
MILE OR MORE ON THE SAME SIDE OF THE HIGHWAY."

IN WITNESS WHEREOF THE PARTIES HERETO HAVE EXECUTED THIS SUPPLEMENTAL
AGREEMENT ON THIS THE 17TH DAY OF JULY, 1972.

UNITED STATES OF AMERICA
DEPARTMENT OF TRANSPORTATION

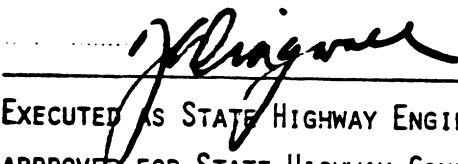
BY:


FEDERAL HIGHWAY ADMINISTRATOR

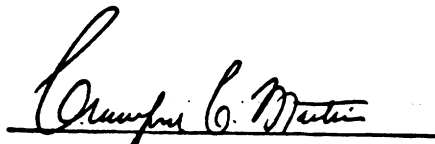
STATE OF TEXAS
TEXAS HIGHWAY COMMISSION

CERTIFIED AS BEING EXECUTED FOR THE
PURPOSE AND EFFECT OF ACTIVATING AND/OR
CARRYING OUT THE ORDERS, ESTABLISHED
POLICIES, OR WORK PROGRAMS HERETOFORE
APPROVED AND AUTHORIZED BY THE STATE
HIGHWAY COMMISSION.

BY:


EXECUTED AS STATE HIGHWAY ENGINEER AND
APPROVED FOR STATE HIGHWAY COMMISSION
BY MINUTE NUMBER 60394 DATED JANUARY
16, 1968, AND MINUTE NUMBER 66107
DATED MAY 1, 1972.

APPROVED AS TO FORM:


ATTORNEY GENERAL OF TEXAS

SUPPLEMENTAL AGREEMENT NO. 2

WHEREAS, BY AGREEMENT MADE AND ENTERED INTO ON THE 2ND DAY OF MAY, 1972, BY AND BETWEEN THE UNITED STATES OF AMERICA, REPRESENTED BY THE SECRETARY OF TRANSPORTATION, ACTING BY AND THROUGH THE FEDERAL HIGHWAY ADMINISTRATOR, AND THE STATE OF TEXAS, REPRESENTED BY THE TEXAS HIGHWAY COMMISSION, ACTING BY AND THROUGH THE STATE HIGHWAY ENGINEER, THE PARTIES THERETO AGREED TO CARRY OUT THE NATIONAL POLICY RELATIVE TO CONTROL OF OUTDOOR ADVERTISING IN AREAS ADJACENT TO THE NATIONAL SYSTEM OF INTERSTATE AND DEFENSE HIGHWAYS AND THE FEDERAL-AID PRIMARY SYSTEM; AND

WHEREAS, SAID AGREEMENT DEFINED AMONG OTHER ITEMS THE LIMITATIONS ON THE SIZE OF SIGNS; AND

WHEREAS, IT IS NOW APPARENT THAT THE DEFINITION OF SIZE LIMITATIONS IS VAGUE AND CONTRADICTORY.

NOW, THEREFORE, IN CONSIDERATION OF THE PREMISES AFORESAID, THE PARTIES HERETO DO MUTUALLY AGREE TO MODIFY THE ORIGINAL AGREEMENT AS FOLLOWS:

SECTION III. D. ON PAGES 6 AND 7 IS AMENDED BY STRIKING THE EXISTING LANGUAGE IN ITS ENTIRETY AND SUBSTITUTING THEREFOR:

D. SIZE OF SIGNS.

1. THE MAXIMUM AREA FOR ANY ONE SIGN SHALL BE 1200 SQUARE FEET WITH A MAXIMUM HEIGHT OF 25 FEET AND MAXIMUM LENGTH OF 60 FEET, INCLUSIVE OF BORDER AND TRIM BUT EXCLUDING THE BASE OR APRON, SUPPORTS, AND OTHER STRUCTURAL MEMBERS.
2. THE AREA SHALL BE MEASURED BY THE SMALLEST SQUARE, RECTANGLE, TRIANGLE, CIRCLE, OR COMBINATION THEREOF WHICH WILL ENCOMPASS THE ENTIRE SIGN.

3. THE MAXIMUM SIZE LIMITATIONS SHALL APPLY TO EACH SIDE OF A SIGN STRUCTURE OR STRUCTURES VISIBLE TO APPROACHING TRAFFIC.
4. SIGNS MAY BE PLACED BACK-TO-BACK, SIDE-BY-SIDE, STACKED, OR IN V TYPE CONSTRUCTION WITH NOT MORE THAN TWO DISPLAYS TO EACH FACING AND SUCH SIGN STRUCTURE OR STRUCTURES SHALL BE CONSIDERED ONE SIGN.
5. SIGNS WHICH EXCEED 350 SQUARE FEET IN AREA MAY NOT BE STACKED OR PLACED SIDE-BY-SIDE.

IN WITNESS WHEREOF THE PARTIES HERETO HAVE EXECUTED THIS SUPPLEMENTAL
AGREEMENT ON THIS THE 6TH DAY OF MARCH, 1973.

UNITED STATES OF AMERICA
DEPARTMENT OF TRANSPORTATION


BY: .


FEDERAL HIGHWAY ADMINISTRATOR

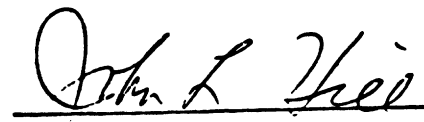
STATE OF TEXAS
TEXAS HIGHWAY COMMISSION

CERTIFIED AS BEING EXECUTED FOR THE
PURPOSE AND EFFECT OF ACTIVATING
AND/OR CARRYING OUT THE ORDERS,
ESTABLISHED POLICIES, OR WORK PROGRAMS
HERETOFORE APPROVED AND AUTHORIZED BY
THE STATE HIGHWAY COMMISSION.

BY:


EXECUTED AS STATE HIGHWAY ENGINEER AND
APPROVED FOR STATE HIGHWAY COMMISSION
BY MINUTE NUMBER 67022 DATED JANUARY
31, 1973, AND MINUTE NUMBER 66107
DATED MAY 1, 1972.

APPROVED AS TO FORM:


ATTORNEY GENERAL OF TEXAS