

Bryan & Bryan Asphalt, LLC  
P.O. Box 1639  
Jackson, MS 39215-1639

**Re: Consent to Assignment of Contracts with Tyler County, TX (the "County")**

Gentlemen:

You have informed us that effective July 1, 2017 (the "Effective Date"), Bryan & Bryan Asphalt, LLC, a wholly-owned subsidiary of Ergon Asphalt & Emulsions, Inc. ("Bryan & Bryan"), acquired substantially all the assets of Bryan and Bryan Asphalt Road Oil, Ltd. and Bryan Asphalt Products, LLC (the "Bryan Companies"). In connection with the transaction, the Bryan Companies wish to assign to Bryan & Bryan, and Bryan & Bryan wishes to assume, the contract(s) currently in place with the County listed below (the "Assumed Contracts") from and after the Effective Date. This will confirm that the County consents to assignment of the Assumed Contracts to Bryan & Bryan and that Bryan & Bryan assumes all obligations under the Assigned Contracts from and after the Effective Date.

Sincerely,

\_\_\_\_\_  
( Tyler County)

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

Reference Contract(s): ID # 04202017-01

\_\_\_\_\_  
\_\_\_\_\_  
AGREED:

BRYAN & BRYAN ASPHALT, LLC

By: Tom B. H  
Name: Tom BRITAIN  
Title: \_\_\_\_\_

Dear Customer:

We are pleased to inform you that as of July 1, 2017, Bryan & Bryan Asphalt Road Oil Ltd.; Bryan Asphalt Products, LLC; Bryan & Bryan Trucking, Inc.; and BMR Transport, Inc. will become Bryan & Bryan Asphalt, LLC.

As part of this process it will be necessary to change our remit to address. Our new remit to address will be:

Bryan & Bryan Asphalt LLC  
Dept #2135  
PO Box 11407  
Birmingham, AL 35246-2135

In order to be sure our records are up to date please complete the attached customer application and return it along with a copy of your company's most recent financial statement to our Credit Department. For mailing: Bryan & Bryan Asphalt, LLC., Attn Credit Department, 8621 FM 2276 North, Henderson, TX 75653.

If you are exempt from Texas sales tax, please complete the exemption certificate that applies to your business. Both Texas exemption certificates have been enclosed for your convenience. If you are taxable, please let us know.



# Bryan & Bryan Asphalt, LLC

**RETURN BY FAX TO 903-655-0061 OR BY EMAIL TO TWARBURTON@BRYANASPHALT.NET**

## GOVERNMENTAL ENTITY CREDIT ACCOUNT INFORMATION QUESTIONNAIRE

*The information in this form must be supplied by any government entity wishing to purchase materials on an open account. The information required allows us to establish an account with the proper billing information.*

Entity Requesting an Account: \_\_\_\_\_

Entity's Employee requesting Account: \_\_\_\_\_

Phone Number: \_\_\_\_\_ Email Address: \_\_\_\_\_

Complete Billing Address: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Accounts Payable Contact: \_\_\_\_\_

Phone Number: \_\_\_\_\_ Fax Number: \_\_\_\_\_

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

Do you require a Purchase Order?  Yes  No

Invoices may be sent by mail/email/or fax. If you prefer email or fax please provide the correct email address or fax number below. If this space is left empty invoices will be mailed.

\_\_\_\_\_

Will customer's truck pick up product at the Bryan & Bryan Facility?  YES  NO (circle one)

Will Bryan & Bryan arrange delivery of product?  YES  NO (circle one)

If customer arranges shipping please provide name of carrier: \_\_\_\_\_

If applicable please provide a sales tax exemption certificate.

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

Type or Print Name: \_\_\_\_\_

## TEXAS SALES AND USE TAX EXEMPTION CERTIFICATION

Name of purchaser, firm or agency	
Address (Street & number, P.O. Box or Route number)	Phone (Area code and number)
City, State, ZIP code	

I, the purchaser named above, claim an exemption from payment of sales and use taxes (for the purchase of taxable items described below or on the attached order or invoice) from:

Seller: Bryan & Bryan Asphalt, LLC


Street address: PO Box 23028 City, State, ZIP code: Jackson, MS 39225-3028 

Description of items to be purchased or on the attached order or invoice:

Purchaser claims this exemption for the following reason:

I understand that I will be liable for payment of all state and local sales or use taxes which may become due for failure to comply with the provisions of the Tax Code and/or all applicable law.

*I understand that it is a criminal offense to give an exemption certificate to the seller for taxable items that I know, at the time of purchase, will be used in a manner other than that expressed in this certificate, and depending on the amount of tax evaded, the offense may range from a Class C misdemeanor to a felony of the second degree.*

 Purchaser	Title	Date
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NOTE: This certificate cannot be issued for the purchase, lease, or rental of a motor vehicle.

**THIS CERTIFICATE DOES NOT REQUIRE A NUMBER TO BE VALID.**

Sales and Use Tax "Exemption Numbers" or "Tax Exempt" Numbers do not exist.

This certificate should be furnished to the supplier. Do **not** send the completed certificate to the Comptroller of Public Accounts.



# TEXAS SALES AND USE TAX RESALE CERTIFICATE

Name of purchaser, firm or agency as shown on permit	Phone (Area code and number)
Address (Street & number, P.O. Box or Route number)	
City, State, ZIP code	
Texas Sales and Use Tax Permit Number (must contain 11 digits)	
Out-of-state retailer's registration number or Federal Taxpayers Registry (RFC) number for retailers based in Mexico	
(Retailers based in Mexico must also provide a copy of their Mexico registration form to the seller.)	

I, the purchaser named above, claim the right to make a non-taxable purchase (for resale of the taxable items described below or on the attached order or invoice) from:

Seller: **Bryan & Bryan Asphalt, LLC**

Street address: **PO Box 23028**

City, State, ZIP code: **Jackson, MS 39225-3028**


Description of items to be purchased on the attached order or invoice:

Description of the type of business activity generally engaged in or type of items normally sold by the purchaser:

The taxable items described above, or on the attached order or invoice, will be resold, rented or leased by me within the geographical limits of the United States of America, its territories and possessions or within the geographical limits of the United Mexican States, in their present form or attached to other taxable items to be sold.

I understand that if I make any use of the items other than retention, demonstration or display while holding them for sale, lease or rental, I must pay sales tax on the items at the time of use based upon either the purchase price or the fair market rental value for the period of time used.

*I understand that it is a criminal offense to give a resale certificate to the seller for taxable items that I know, at the time of purchase, are purchased for use rather than for the purpose of resale, lease or rental, and depending on the amount of tax evaded, the offense may range from a Class C misdemeanor to a felony of the second degree.*

 Purchaser	Title	Date
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