

THE STATE OF TEXAS

COUNTY OF COLLIN

Subject: Condemnation Proceedings, Acquisition of Right-of-Way, Construction of a Bridge on County Road 134 – Special Projects

On **December 13, 2010**, the Commissioners Court of Collin County, Texas, met in **regular session** with the following members present and participating, to wit:

**Keith Self
Matt Shaheen
Jerry Hoagland
Joe Jaynes
Kathy Ward**

**County Judge, Presiding
Commissioner, Precinct 1
Commissioner, Precinct 2
Commissioner, Precinct 3
Commissioner, Precinct 4**

During such session the court considered approval of the following order providing for the acquisition of right-of-way to construct a bridge on County Road 134 at Honey Creek through condemnation proceedings if purchase negotiations are unsuccessful.

WHEREAS, the Commissioners Court of Collin County, Texas has determined that current county needs necessitate the construction of a bridge on County Road 134 at Honey Creek:

WHEREAS, the County, by and through its agents, contacted the following owner of property ("Property Owner") abutting County Road 134 at Honey Creek and offered them compensation for the property, which amounts equal or exceed the fair market values of the properties, as appraised:

CR 134 at Honey Creek

RICHARD M. ABERNATHY – 0.1337 acre of land, more or less, in the George McPherson Survey, Abstract No. 574, Collin County, Texas, and being part of a called 25.00 acre tract of land conveyed to Richard M. Abernathy by deed recorded in Volume 5827, Page 5052 of the Collin County Deed Records. Amount Offered: **\$3342** which equals the value as determined by independent appraisal; and

WHEREAS, the county made a final offer to the Property Owner; and

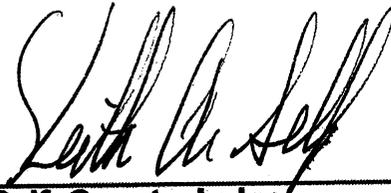
WHEREAS, the County has been unable to reach an agreement with the Property Owner, the County's attorney has recommended that the County institute condemnation proceedings to acquire the necessary right of way; and

WHEREAS, the Commissioners Court of Collin County, Texas, has determined that the right of way should be acquired by condemnation, if necessary; and

WHEREAS, the Commissioners Court of Collin County, Texas has authorized its attorney to acquire the right of way through the County's power of eminent domain by instituting condemnation proceedings against the Property Owners described above.

It is, therefore, **ORDERED** that the law firm of Banowsky & Levine, P.C. ("County Attorney"), continue to negotiate on behalf of the County to purchase the right-of-way property from the Property Owner described above and to immediately institute condemnation proceedings to acquire the Property.

Passed and approved this 13th day of December, 2010.



Keith Self, County Judge



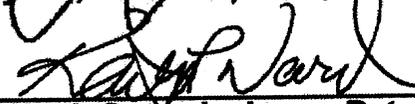
Matt Shaheen, Commissioner, Pct. 1



Jerry Hoagland, Commissioner, Pct. 2



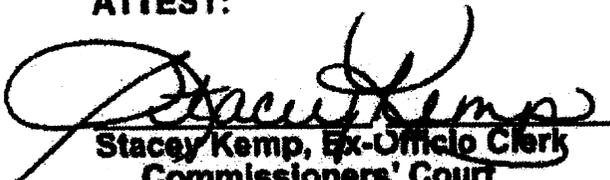
Joe Jaynes, Commissioner, Pct. 3



Kathy Ward, Commissioner, Pct. 4



ATTEST:



Stacey Kemp, Ex-Officio Clerk
Commissioners' Court
Collin County, T E X A S