

THE STATE OF TEXAS

COUNTY OF COLLIN

Subject: Resolution, Acquisition of Right-Of-Way, Collin County Outer Loop – Special Projects

On **July 11, 2016**, the Commissioners Court of Collin County, Texas, met in **regular session** with the following members present and participating, to wit:

Keith Self		County Judge, Presiding
Susan Fletcher		Commissioner, Precinct 1
Cheryl Williams		Commissioner, Precinct 2
Chris Hill	Not Present	Commissioner, Precinct 3
Duncan Webb		Commissioner, Precinct 4

During such session the court considered adoption of the following resolution for the acquisition of right-of-way for the construction of a portion of the Collin County Outer Loop through condemnation proceedings if purchase negotiations are unsuccessful.

WHEREAS, the Commissioners Court of Collin County, Texas has determined that current county needs necessitate the acquisition of right-of-way to facilitate construction of an Outer Loop through northern and eastern Collin County.

WHEREAS, the County, by and through its agents, contacted the following owners of property (“Property Owners”) along the Outer Loop at U.S. Highway No. 75 and extended a good faith offer to them, to acquire the necessary right-of-way property interests, which was equal to or greater than the fair market value of the property interests we are seeking to acquire, as determined by appraisal:

QJR Partnership, Ltd. – Parcel No. 1 5.937 acres of land, more or less, in the William E. Throckmorton Survey, Abstract No. 899, Collin County, Texas, and being part of a tract of land conveyed to QJR Partnership, Ltd. by deed recorded at County Clerk File No. 20090331000368940 in the Deed Records of Collin County, Texas (DRCCT)
Amount Offered **\$581,841**

Zacchaeus Partnership Fund, Ltd. – Parcel No. 2 4.984 acres of land, more or less, in the William E. Throckmorton Survey, Abstract No. 899, Collin County, Texas, and being part of a tract of land conveyed to Zacchaeus Partnership Fund, Ltd. by deed recorded at County Clerk File No. 20140107000017600 in the Deed Records of Collin County, Texas (DRCCT)
Amount Offered **\$651,330**

WHV, Inc. – Parcels No. 3-1 and 3-2 0.1203 and 0.0060 acre of land, more or less, in the William E. Throckmorton Survey, Abstract No. 899, City of Anna, Collin County, Texas, and being part of a tract of land conveyed to WHV, Inc. by deed recorded at County Clerk File No. 98-0009850 in the Deed Records of Collin County, Texas (DRCCT)
Amount Offered **\$16,992**

Foster Crossing/Hwy 75, L.P. – Parcel No. 4 0.6709 acre of land, more or less, in the William E. Throckmorton Survey, Abstract No. 899, City of Anna, Collin County, Texas, and being part of a tract of land conveyed to Foster Crossing/Hwy 75, L.P. by deed recorded at County Clerk File No. 2005-0149013 in the Deed Records of Collin County, Texas (DRCCT)
Amount Offered **\$132,797**

MJLA Adams, Ltd. – Parcel No. 5 2.971 acres of land, more or less, in the Jacob Gragg Survey, Abstract No. 339, the William Kitchings Survey, Abstract No. 505 and the William E. Throckmorton Survey, Abstract No. 899, Collin County, Texas, and being part of a tract of land conveyed to MJLA Adams, Ltd. by deed recorded at County Clerk File No. 20110505000462590 in the Deed Records of Collin County, Texas (DRCCT)
Amount Offered **\$202,799**

Anna Outer Loop, Ltd. – Parcel No. 6 0.2575 acre of land, more or less, in the William E. Throckmorton Survey, Abstract No. 899, Collin County, Texas, and being part of a tract of land conveyed to Anna Outer Loop, Ltd. by deed recorded at County Clerk File No. 20150630000795650 in the Deed Records of Collin County, Texas (DRCCT)
Amount Offered **\$23,595** and

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

WHEREAS, the County has been unable to reach an agreement with the Property Owners, 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 (“County Attorney”), continue to negotiate on behalf of the County to purchase the right-of-way property from the Property Owners described above and to immediately institute condemnation proceedings to acquire the property set forth above.

PASSED AND APPROVED this 11th day of July, 2016.

Keith Self, County Judge

Susan Fletcher, Commissioner, Pct. 1

Cheryl Williams, Commissioner, Pct. 2

Not Present

Chris Hill, Commissioner, Pct. 3

Duncan Webb, Commissioner, Pct. 4



ATTEST:

Stacey Kemp, Ex-Officio Clerk
Commissioners Court
Collin County, T E X A S