

THE STATE OF TEXAS

COUNTY OF COLLIN

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

On **May 21, 2018**, the Commissioners Court of Collin County, Texas, met in **regular session** with the following members present and participating, to wit:

<b>Keith Self</b>	<b>Not Present</b>	<b>County Judge, Presiding</b>
<b>Susan Fletcher</b>	<b>Not Present</b>	<b>Commissioner, Precinct 1</b>
<b>Cheryl Williams</b>		<b>Commissioner, Precinct 2</b>
<b>John D. Thomas</b>		<b>Commissioner, Precinct 3</b>
<b>Duncan Webb</b>		<b>Commissioner, Precinct 4</b>

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 northwestern Collin County; and

**WHEREAS**, the County, by and through its agents, contacted the following owners of property (“Property Owners”) along the Outer Loop adjacent to State Highway No. 289 (Preston Road) and extended a good faith offer to them, to acquire the necessary right-of-way property interests, which good faith offer was equal to or greater than the fair market value of the property interests to be acquired, as determined by appraisal:

**Felix Y. Chen and Yu Chen Kuo – Parcel No. 20** : 0.859 acre of land, more or less, in the Collin County School Land Survey, No. 14, Abstract No. 167, City of Celina, Collin County, Texas, and being part of a tract of land conveyed to Felix Y. Chen by deed recorded at County Clerk File No. 19890517000242480, Deed Records of Collin County, Texas (“DRCCT”), and to Yu Chen Kuo by deed recorded at County Clerk File No. 20131231001700860, DRCCT.

Amount Offered **\$252,524**

**Old Celina, Ltd. – Parcel No. 21** : 0.696 acre of land, more or less, in the Collin County School Land Survey, No. 14, Abstract No. 167, City of Celina, Collin County, Texas, and being part of a tract of land conveyed to Old Celina, Ltd. by deed recorded at County Clerk File No. 2003073100147019, DRCCT.

Amount Offered **\$116,857**

**Ben Ownsby Choate and Charlene Choate – Parcel No. 22** : 0.742 acre of land, more or less, in the T.M. Rowland Survey, Abstract No. 749, Collin County, Texas, and being part of a tract of land conveyed to Ben Ownsby Choate by deed recorded in Volume 659, Page 550, DRCCT.

Amount Offered **\$164,358**

**Eland Energy, Inc. – Parcel No. 23** : 36.196 acres of land, more or less, in the T.M. Rowland Survey, Abstract No. 749, City of Celina, Collin County, Texas, and being part of a tract of land conveyed to Eland Energy, Inc. by deed recorded at County Clerk File No. 20141002001081280, DRCCT.  
Amount Offered **\$5,999,075** 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.

**NOW, THEREFORE, BE IT ORDERED** that the law firm of Banowsky & Levine, P.C., 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 21<sup>ST</sup> day of May, 2018.

Not Present  
Keith Self, County Judge



Not Present  
Susan Fletcher, Commissioner, Pct. 1

*Cheryl Williams*  
Cheryl Williams, Commissioner, Pct. 2

*John D. Thomas*  
John D. Thomas, Commissioner, Pct. 3

*Duncan Webb*  
Duncan Webb, Commissioner, Pct. 4

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