

THE STATE OF TEXAS

COUNTY OF COLLIN

Subject: Resolution, Acquisition of Right-Of-Way or Easements, Dallas North Tollway (DNT) Phase 4 – Special Projects

On **September 18, 2017**, the Commissioners Court of Collin County, Texas, met in **regular session** with the following members present and participating, to wit:

**Keith Self
Susan Fletcher
Cheryl Williams
Chris Hill
Duncan Webb**

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

During such session the court considered adoption of the following resolution for the acquisition of right-of-way or easements to construct the Dallas North Tollway (DNT) Phase 4 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 and easements for construction of a public roadway, namely the Dallas North Tollway (DNT) Phase 4 between U.S. Highway 380 and F.M. Highway 428 in Collin County.

WHEREAS, the County, by and through its agents, contacted the following owners of property ("Property Owners") along the Dallas North Tollway and extended a good faith offer to them, to acquire the necessary right-of-way or easement property interests, which was equal to or greater than the fair market value of the property interests we are seeking to acquire, inclusive of any appraised damages to the remainder of the property owners remaining property, as determined by appraisal:

Tom Mosey – Parcel No. 41-1AA – ROW Clip 0.0184 acre of land, more or less, in the F.D. Gary Survey, Abstract No. 361, Collin County, Texas, and being part of a tract of land conveyed to Tom Mosey by deed recorded at County Clerk File No. 99-0024276 in the Deed Records of Collin County, Texas (DRCCT)
Amount Offered **\$4800**

Tom Mosey – Parcel No. 41-1A-DE1 – Drainage Easement 0.1033 acre of land, more or less, in the F.D. Gary Survey, Abstract No. 361, Collin County, Texas, and being part of a tract of land conveyed to Tom Mosey by deed recorded at County Clerk File No. 99-0024276 in the Deed Records of Collin County, Texas (DRCCT)
Amount Offered **\$5401**

117 Farm on Tollway, Ltd. – Parcel No. 41-1BA – ROW Clip 0.0903 acre of land, more or less, in the F.D. Gary Survey, Abstract No. 361, Collin County, Texas, and being part of a tract of land conveyed to 117 Farm on Tollway, Ltd. by deed recorded at Volume 5952, Page 6690 in the Deed Records of Collin County, Texas (DRCCT)
Amount Offered **\$21,643**

Celina Tollway 107 Partners, Ltd. – Parcel No. 41-6-DE1 – Drainage Easement 0.0528 acre of land, more or less, in the Issac C. Williamson Survey, Abstract No. 943, Collin County, Texas, and being part of a tract of land conveyed to Celina Tollway 107 Partners, Ltd. by deed recorded at County Clerk File No. 2010110900122310 in the Deed Records of Collin County, Texas (DRCCT)
Amount Offered **\$6440**

Celina Tollway 107 Partners, Ltd. – Parcel No. 41-6-TCE1 – Temporary Construction Easement 0.1057 acre of land, more or less, in the Issac C. Williamson Survey, Abstract No. 943, Collin County, Texas, and being part of a tract of land conveyed to Celina Tollway 107 Partners, Ltd. by deed recorded at County Clerk File No. 2010110900122310 in the Deed Records of Collin County, Texas (DRCCT)
Amount Offered **\$4834**

Celina Tollway 107 Partners, Ltd. – Parcel No. 41-6-TCE2 – Temporary Construction Easement 0.3441 acre of land, more or less, in the Issac C. Williamson Survey, Abstract No. 943, Collin County, Texas, and being part of a tract of land conveyed to Celina Tollway 107 Partners, Ltd. by deed recorded at County Clerk File No. 2010110900122310 in the Deed Records of Collin County, Texas (DRCCT)
Amount Offered **\$15,737**

Tollway Fish Trap Partners, LLC – Parcel No. 40-12-DE1 – Drainage Easement 0.1698 acre of land, more or less, in the Collin County School Land No. 12 Survey, Abstract No. 147, Collin County, Texas, and being part of a tract of land conveyed to Tollway Fish Trap Partners, LLC by deed recorded at County Clerk File No. 20161104001506360 in the Deed Records of Collin County, Texas (DRCCT)
Amount Offered **\$9998**

Texas Republic Realty, Ltd. – Parcel No. 40-25-DE1 – Drainage Easement 0.1057 acre of land, more or less, in the Collin County School Land No. 12 Survey, Abstract No. 147, Collin County, Texas, and being part of a tract of land conveyed to Texas Republic Realty, Ltd. by deed recorded at County Clerk File No. 20160328000356840 in the Deed Records of Collin County, Texas (DRCCT)
Amount Offered **\$5525** 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, P.C. ("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.

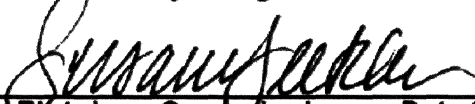
PASSED AND APPROVED this 18TH day of September, 2017.



ATTEST:

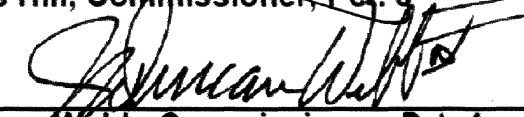

Stacey Kemp, Ex-Officio Clerk
Commissioners Court
Collin County, T E X A S


Keith Self, County Judge


Susan Fletcher, Commissioner, Pct. 1

Abstained
Cheryl Williams, Commissioner, Pct. 2


Chris Hill, Commissioner, Pct. 3


Duncan Webb, Commissioner, Pct. 4