

COURT ORDER NO. 2019-128-02-11

THE STATE OF TEXAS

COUNTY OF COLLIN

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

On **February 11, 2019**, the Commissioners Court of Collin County, Texas, met in **regular session** with the following members present and participating, to wit:

Chris Hill
Susan Fletcher
Cheryl Williams **Not Present**
Darrell Hale
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 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 from just east of State Highway No. 289 (Preston Road) to County Road 87 and extended a bona fide offer to them pursuant to Chapter 21.0113 of the Texas Property Code, 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:

Charla Lee Choate – Parcel No. 29 : 1.301 acres of land, more or less, in the Thomas M. Rowland Survey, Abstract No. 749, and being part of a tract of land conveyed to Charla Lee Choate by deed recorded at County Clerk File No. 95-0095411, Deed Records of Collin County, Texas.
Amount Offered **\$65,050**

Ben Ownsby Choate, Charlene Choate and Charla Lee Choate – Parcel No. 30 and 31 (COMBINED) : 2.952 acres of land, more or less, in the Thomas M. Rowland Survey, Abstract No. 749, and being a 2.610 acre remainder (Parcel 30) of a 7.18 acre tract of land described in a deed recorded in Volume 4573, Page 1266, said remainder tract presently owned by Ben, Charlene and Charla Choate and a 0.342 acre part (Parcel 31) of a called 1.452 acre tract conveyed to Charla Lee Choate by deed recorded at County Clerk File No. 20061206001721240, Deed Records of Collin County, Texas.
Amount Offered **\$328,959**

Srinivasas Reddy Thippaana– Parcel No. 32 : 1.575 acres of land, more or less, in the Thomas M. Rowland Survey, Abstract No. 749, and being part of a tract of land conveyed to Srinivasas Reddy Thippaana by deed recorded at County Clerk File No. 20160503000533570, Deed Records of Collin County, Texas.
Amount Offered **\$120,270**

Metallic Land Company LLC – Parcel No. 35 : 9.524 acres of land, more or less, in the Thomas M. Rowland Survey, Abstract No. 749, and being part of a tract of land conveyed to Metallic Land Company LLC by deed recorded at County Clerk File No. 20130805001097080, Deed Records of Collin County, Texas.
Amount Offered **\$518,247**

Joyce A. Brown-Acree – Parcel No. 36 : 0.865 acre of land, more or less, in the Thomas M. Rowland Survey, Abstract No. 749, and being part of a tract of land conveyed to Joyce A. Brown-Acree by deed recorded at County Clerk File No. 2000-0042458, Deed Records of Collin County, Texas.

Amount Offered **\$106,572**

Patty Kay Young – Parcel No. 37 : 0.336 acre of land, more or less, in the Thomas M. Rowland Survey, Abstract No. 749 and the Levin Routh Survey, Abstract No. 779, and being part of a tract of land conveyed to Patty Kay Young by deed recorded at County Clerk File No. 20100713000718610, Deed Records of Collin County, Texas.

Amount Offered **\$28,785**

Saleem Raza – Parcel No. 38 : 19.208 acres of land, more or less, in the Thomas M. Rowland Survey, Abstract No. 749 and the Levin Routh Survey, Abstract No. 779, and being part of a tract of land conveyed to Saleem Raza by deed recorded at County Clerk File No. 20141027001170440, Deed Records of Collin County, Texas.

Amount Offered **\$1,291,299** and

WHEREAS, the County made a bona fide offer to the property owners pursuant to Chapter 21.0113 of the Texas Property Code; and

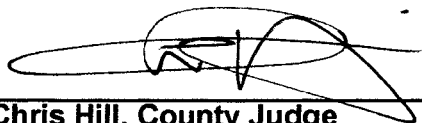
WHEREAS, the County has been unable to reach an agreement with the Property Owners, the County's attorney has recommended that the County institute condemnation proceedings to acquire the necessary right of way; and

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 11TH day of February, 2019.



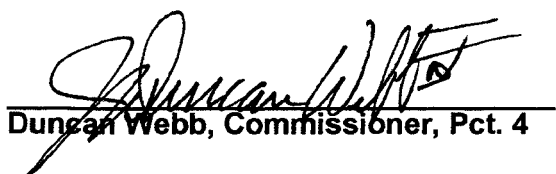
Chris Hill, County Judge



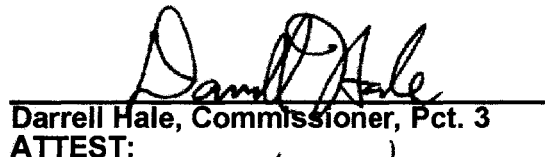
Susan Fletcher, Commissioner, Pct. 1

Not Present

Cheryl Williams, Commissioner, Pct. 2

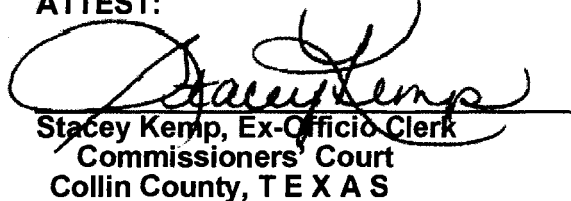


Duncan Webb, Commissioner, Pct. 4



Darrell Hale, Commissioner, Pct. 3

ATTEST:



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