



MEMO

Date: December 22, 2020

To: Commissioners Court

From: Clarence Daugherty, P,E., Director of Engineering

Subject: Sale of Land to Texas Department of Transportation for Right of Way for Improvements at the Intersection of FM 1378 and FM 3286 in Lucas

The County and the City of Lucas purchased the land on the north side of the intersection of FM 1378 and FM 3286 in Lucas in 2017. This "corner" has been a long-standing concern of Lucas and the County. The County and the City had the opportunity to acquire the land in order to prevent any development from occurring on the land preventing the improvement of the intersection.

As a result of this purchase TxDOT has prepared plans for improvements to this intersection (see attached plan sheet) and is acquiring the needed ROW. The County's and City's land is one of several parcels TxDOT has to acquire. Although it was our intention to simply convey the land to TxDOT, they have gone through their normal process to buy the land. During TxDOT's process we and the City were surprised when TxDOT told the City that they had to pay the typical local government share (10%) of ROW and utility relocations. We attempted to simplify the process by making the contribution and sale one transaction but TxDOT's processes would not allow that.

TxDOT has had the property appraised and has made an offer of \$636,581.00 for the 1.7 acres of the parcel that they need for ROW (the total parcel is 2.2 ac – see attached). So it seems appropriate and the easiest to go ahead and accept the offer. The County and the City will receive some compensation for the land that the County and the City purchased – unexpected revenue – and the City can get reimbursed for their unexpected contribution. It would be good to put the County's proceeds back in the bond account which was used to buy the land.

In order to move this along in their schedule TxDOT is also offering to provide an incentive payment of an additional \$25,000 if we will agree to a possession and use agreement (attached), which gives TxDOT the right to use the land before the sale is consummated. We have used this in a few instances when we were acquiring land for Frontier Parkway.

Action Requested: It is requested that the Commissioners Court

- approve the sale of 1.7 acres of the parcel at the intersection of FM 1378 and FM 3286 to the Texas Department of Transportation for \$636,581.00,
- approve the attached possession and use agreement in return for the incentive payment of \$25,000, and
- authorize the Auditor to transfer the proceeds of both the land sale and the possession and use agreement incentive payment to RI070052-4213-75030013-809682.