

AGENDA ITEM 27

Consider approving agreement to contribute funds with TxDOT for approximately 1250 feet west of FM 1660 to approximately 800 feet east of CR 126.

Moved: **Commissioner Heiligenstein**

Seconded: **Commissioner Hays**

Motion: To approve agreement to contribute funds with TxDOT for approximately 1250 feet west of FM 1660 to approximately 800 feet east of CR 126.

Vote: **5 - 0**

< Attachment >



October 9, 2001

Agreement to Contribute Funds

Account No. 8014-2-25

CSJ 0337-02-032

Williamson County

S.H. 29: From approximately 1250 feet West of FM 1660

To approximately 800 feet East of WCR 126

Hon. John Doerfler

County Judge of Williamson County

710 Main Street, Suite 210

Georgetown, Texas 78626

Dear Judge Doerfler:

We would like to address the acquisition procedure for the improvement to SH 29 within the above project limits which will begin in the near future. When the County enters into the attached Agreement to Contribute Funds (County Form), the County will be required to contribute 10% of the estimated cost of eligible right of way and utility adjustments. The State, solely at our cost, will secure appraisals and acquire the needed right of way and will also cause the relocation of conflicting utility facilities. The initial contribution is based upon current estimates made by this office of these costs.

If, as the project progresses, it is found that this amount is insufficient to cover the County's obligation, then upon request, the County will need to supplement this amount as requested by the State. In the event any additional amount is paid, any overage will be returned at the close of the project. It has been determined that the County's estimated share of the right of way and eligible utility adjustments needed for this project totals \$25,000.00.

Attached are the original and three copies of the Agreement to Contribute Funds (County Form) for your execution at the next Commissioners Court Meeting. It will be necessary that a certified copy of the minutes of the meeting accepting the Agreement accompany the executed Agreement, along with a check in the above referenced amount to cover the County's 10% share.

If additional information is needed concerning this matter, please do not hesitate to contact the undersigned at (512)832-7237.

Sincerely,

Shelly W. Easley
Supv. Right of Way Agent

SE

Attachments



Form ROW-RM-130
(Replaces Form D-15-130)
Rev. 11/2000
(Electronic version GSD-EPC Word 97)
Page 1 of 2

AGREEMENT TO CONTRIBUTE FUNDS - COUNTY

THE STATE OF TEXAS

COUNTY OF TRAVIS

§ County: Williamson
§ Federal Project No.: NA
§ ROW CSJ No.: 0337-02-032
ROW Account No: 8014-2-25
Highway: SH 29

This Agreement by and between the State of Texas, acting by and through the Texas Department of Transportation, hereinafter called the **State**, and Williamson County, Texas, acting by and through its duly authorized officials under Commissioners' Court Order dated the day of , , hereinafter called the **County**, *shall be effective on the date of approval and execution by and on behalf of the State.*

WHEREAS, the **State** and the **County** hereby agree to enter into a contractual agreement to acquire right of way for a highway project on Highway No. SH 29 with the following project limits: from approximately 1250 feet West of FM 1660 to approximately 800 feet East of Williamson County Road 126; and

WHEREAS, the **County** requests that the **State** assume responsibility for acquisition of all necessary right of way for said highway project; and

WHEREAS, the **County** desires to voluntarily contribute to the **State** funding participation as defined in 43TAC, §15.55 of the cost of the said right of way for the proper development and construction of the State Highway System;

NOW, THEREFORE, in consideration of the foregoing premises and the mutual benefits to be derived therefrom, the **County** shall contribute to the **State** an amount equal to ten percent (10%) of the cost of the right of way to be acquired by the **State** and shall transmit to the **State** with the return of this agreement, duly executed by the **County**, a warrant or check payable to the Texas Department of Transportation in the amount of Twenty-five thousand Dollars (\$25,000.00), which represents ten percent (10%) cent of the estimated cost of the right of way, however, if it is found that this amount is insufficient to pay the **County's** obligation, then the **County**, upon request of the **State**, will forthwith supplement this amount in such amount as is requested by the **State**. Upon completion of the highway project and in the event the total amount as paid by the **County** is more than ten percent (10%) of the actual cost of the right of way, any excess amount will be returned to the **County** by the **State**. In the event any existing, future, or proposed **County** court order, rule, policy, or other directive, including but not limited to those concerning outdoor advertising, are more restrictive than **State** law, policy, or directive, and thereby result in any increased costs, then the **County** will pay one hundred percent (100%) of all such increased costs, even if the **County** qualified as a disadvantaged county. The amount of the increased costs

associated with the existing, future, or proposed **County** court order, rule, policy, or other directive will be determined by the **State** at its sole discretion. The cost of providing such right of way acquired by the **State** shall mean the total expenses involved in acquiring the property interests either through negotiations or eminent domain proceedings, including expenses related to the relocation, removal or adjustment of eligible utilities. The cost of providing such right of way acquired by the **State** shall mean the total expenses involved in acquiring the property interests either through negotiations or eminent domain proceedings, including expenses related to the relocation, removal or adjustment of eligible utilities.

COMMISSIONERS COURT OF WILLIAMSON COUNTY, TEXAS

BY: John C. Dwyer 10-23-01
County Judge

EXECUTION RECOMMENDED:

BY: _____
Commissioner, Precinct Number 1

District Engineer, Austin District

BY: _____
Commissioner, Precinct Number 2

THE STATE OF TEXAS

Executed and approved for the Texas Transportation Commission for the purpose and effect of activating and/or carrying out the orders, established policies or work programs heretofore approved and authorized by the Texas Transportation Commission.

BY: _____
Commissioner, Precinct Number 3

BY: _____
Commissioner, Precinct Number 4

By: _____
John P. Campbell, P.E.
Right of Way Division Director

BY: _____
Commissioner, Precinct Number 5

Date: _____

AGENDA ITEM 28

Consider authorizing advertising and setting date to receive bids on heavy equipment for URS.

Moved: **Judge Doerfler**

Seconded: **Commissioner Boatright**

Motion: To authorize advertising and setting date to receive bids on heavy equipment for URS for Tuesday, November 20, 2001 at 2:00 p.m. in the Commissioners' Courtroom.

Vote: **5 - 0**

AGENDA ITEM 29

Consider entering into development agreement for realignment of CR 116.

Moved: **Commissioner Heiligenstein**

Seconded: **Judge Doerfler**

Motion: To enter into an agreement for realignment of CR 116 with the developer.

Vote: **5 - 0**

< Attachment >

Jane Tableriou

From: Joe England
Sent: Wednesday, October 10, 2001 5:14 PM
To: John Doerfler
Cc: Mike Heiligenstein; David Flores; Bruce Barton (E-mail)
Subject: Development Agreement for CR 116 Realignment

Judge-

As per our telephone conversation this afternoon, attached is the bill that may give us the opportunity to enter into a development agreement with Greg Hall that would expedite the construction of our project. Please review lines 3-16 through 4-19.

I would appreciate comments from all recipients so that I can know what direction to head in.

Thank you.

Joe England



SB 873 developer
agreement and...

*O.K. by me
Agenda for 10-23-01
notebook for same
Tae de
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