

**GENERAL MEETING OF THE BOARD OF DIRECTORS
OF THE NORTH EAST TEXAS
REGIONAL MOBILITY AUTHORITY**

RESOLUTION NO. 15-22

WHEREAS, the North East Texas Regional Mobility Authority ("NET RMA") was created pursuant to the request of Gregg and Smith Counties and in accordance with provisions of the Transportation Code and the petition and approval process established in 43 Tex. Admin. Code § 26.1, *et seq.* (the "RMA Rules"); and

WHEREAS, the Board of Directors of the NET RMA has been constituted in accordance with the Transportation Code and the RMA Rules; and

WHEREAS, subsequent to the initial formation of the NET RMA the Counties of Cherokee, Rusk, Harrison, Upshur, Bowie, Panola, Titus, Van Zandt, Wood, and Kaufman joined the Authority and are represented on the Board of Directors; and

WHEREAS, the NET RMA is responsible for the operation of Toll 49; and

WHEREAS, the NET RMA is currently pursuing the development of Segment 4 of Toll 49 (the "Project"); and

WHEREAS, Section 370.163, Transportation Code grants the NET RMA the power and authority to acquire an interest in real property that the NET RMA determines is necessary or convenient for the construction, reconstruction, maintenance, widening, straightening or extension of a transportation project; and

WHEREAS, NET RMA consultants have developed a preliminary schematic for the Project which identifies the property described in Attachment "A" (the "Subject Property") as possibly being used in or in connection with the construction, operation, and maintenance of the Project (subject, however, to the determination of a final alignment for the Project); and

WHEREAS, in Resolution No. 14-56, dated November 12, 2015, the NET RMA Board of Directors determined that the acquisition of the Subject Property is necessary or convenient for the construction, operation, and maintenance of the Project and authorized the Interim Executive Director to make a written offer to the owner of the Subject Property to acquire an option to purchase the Subject Property; and

WHEREAS, effective January 21, 2015, the NET RMA entered into an Option to Purchase Agreement with the owner of the Subject Property, pursuant to which the NET RMA acquired an option to purchase the Subject Property for a purchase price of \$85,900, with an option period of six (6) months unless extended by mutual agreement of the parties or through payment of a \$3000 Option Extension Fee; and

WHEREAS, the NET RMA now desires to pay the Option Extension Fee to extend the option period during which the NET RMA may purchase the Subject Property by an additional six (6) months.

NOW THEREFORE, BE IT RESOLVED, that the Board of Directors of the NET RMA hereby authorizes the payment of the Option Extension Fee in the amount of \$3000; and

BE IT FURTHER RESOLVED, that the Board of Director authorizes the Interim Executive Director to execute the necessary documentation to extend the option period for the purchase of the Subject Property for an additional six (6) months.

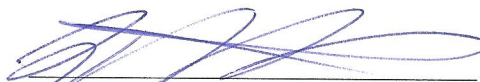
Adopted by the Board of Directors of the North East Texas Regional Mobility Authority on the 12th day of May, 2015.

Submitted and reviewed by:



C. Brian Cassidy
General Counsel for the North East
Texas Regional Mobility Authority

Approved:



Gary Halbrooks
Vice Chair, Board of Directors
Resolution Number 15-22
Date Passed 05/12/15