

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

RESOLUTION NO. 14-56

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, the Subject Property is currently for sale to the general public and NET RMA consultants recommend acquiring an option to purchase the Subject Property to prevent imminent development that may increase right of way costs or limit the choice of alignments of the Project in the preliminary schematic; and

WHEREAS, the Board of Directors of the NET RMA desires to authorize an offer to be made to acquire an option to purchase the Subject Property on terms and conditions the Board considers proper.

NOW THEREFORE, BE IT RESOLVED, that the Board of Directors of the NET RMA hereby determines that the acquisition of the Subject Property by the NET RMA is necessary or convenient for the construction, operation, and maintenance of the Project; and

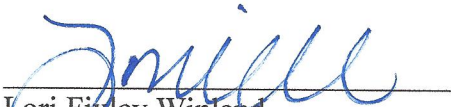
BE IT FURTHER RESOLVED, that the Board of Directors of the NET RMA authorizes the Interim Executive Director to make a written offer to the owner of the Subject Property to acquire an option to purchase the Subject Property, in the form attached hereto as Attachment "B"; and

BE IT FURTHER RESOLVED, that the Board of Directors authorizes the Interim Executive Director to proceed with negotiations with the owner of the Subject Property to reach agreement regarding the terms and price for the acquisition of the option to purchase the Subject Property; and

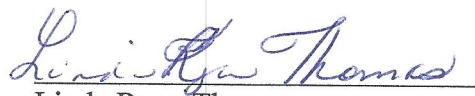
BE IT FURTHER RESOLVED, that if negotiations for the option to purchase of the Subject Property are successful, the Board of Director authorizes the Interim Executive Director to execute the necessary documentation to acquire an option to purchase the Subject Property.

Adopted by the Board of Directors of the North East Texas Regional Mobility Authority on the 12th day of November, 2014.

Submitted and reviewed by:


Lori Fixley Winland
General Counsel for the North East
Texas Regional Mobility Authority

Approved:


Linda Ryan Thomas
Chair, Board of Directors
Resolution Number 14-56
Date Passed 11/12/14