

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

RESOLUTION NO. 15-28

WHEREAS, the North East 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, Van Zandt, Wood, Titus, and Kaufman joined the Authority and are represented on the Board of Directors; and

WHEREAS, the NET RMA previously acquired from TxDOT two parcels of real property in the right-of-way of Segment 3A of Toll 49, a description and map of which are attached hereto as Attachment "A" (the "Property"); and

WHEREAS, Section 14 of the NET RMA's Policies and Procedures Governing Procurements of Goods and Services permits the Authority to sell surplus real property, including right-of-way, by first offering the surplus real property to one or more governmental entities with authority to condemn the property in whose jurisdiction the real property is located, and then, if no governmental entity to which the real property is offered expresses an intent to purchase the property within thirty (30) days, offering the real property for sale to the abutting landowner(s); and

WHEREAS, the landowners whose land abuts the Property are Carol Hudson Caton Clark, the Hilltop Ranch General Partnership, and Sharon/William T. McKenzie (collectively, the "Abutting Owners"); and

WHEREAS, pursuant to the Board of Director's authorization in Resolution No. 15-12, dated March 17, 2015, the NET RMA offered the Property for sale to Smith County by letter dated April 1, 2015, and Smith County subsequently informed the NET RMA, by letter dated April 15, 2015, that the County is not interested in purchasing the Property; and

WHEREAS, in Resolution No. 15-21, dated May 12, 2015, the Board of Directors found that the fair market value of the Property is \$9,290.00 and authorized the Interim Executive Director to take such action as may be necessary to offer the Property for sale to the Abutting Owners for not less than \$9,290.00; and

WHEREAS, the NET RMA offered the Property for sale to the Abutting Owners by letter dated June 11, 2015, and required the Abutting Owners notify the NET RMA of the intent to purchase the Property by July 11, 2015; and

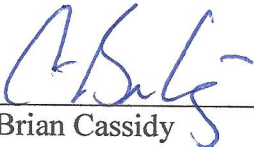
WHEREAS, by letter dated June 18, 2015, the Hilltop Ranch General Partnership informed the NET RMA of its interest in purchasing the Property, and no response from the remaining Abutting Owners was received.

NOW THEREFORE, BE IT RESOLVED, that the Board of Directors of the NET RMA hereby authorizes the Interim Executive Director to take such action as may be necessary to effectuate the sale and transfer of the Property to the Hilltop Ranch General Partnership for \$9,290.00.

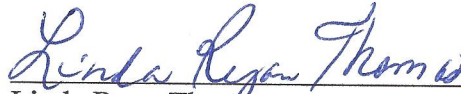
Adopted by the Board of Directors of the North East Texas Regional Mobility Authority on the 14th day of July, 2015.

Submitted and reviewed by:

Approved:



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



Linda Ryan Thomas
Chair, Board of Directors
Resolution Number 15-28
Date Passed: 07/14/15