

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

RESOLUTION NO. 15-57

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 identified the properties described in Attachment "A" (the "Subject Properties") as necessary to be used in or in connection with the construction, operation, and maintenance of the Project and recommend acquiring an option to purchase the Subject Properties; and

WHEREAS, the Board of Directors of the NET RMA desires to authorize an offer to be made to acquire options to purchase the Subject Properties on the terms and conditions described in Attachment "A".

NOW THEREFORE, BE IT RESOLVED, that the Board of Directors of the NET RMA hereby determines that the acquisition of the Subject Properties 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 owners of the Subject Properties to

acquire an option to purchase the Subject Property, consistent with terms and conditions described in Attachment "A" and in the form attached hereto as Attachment "B"; and


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

Adopted by the Board of Directors of the North East Texas Regional Mobility Authority on the 8th day of December, 2015.

Submitted and reviewed by:

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

Approved:



Linda Ryan Thomas
Chair, Board of Directors
Resolution Number 15-57
Date Passed 12/08/15