

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

**RESOLUTION NO. 16-102**

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

WHEREAS, the NET RMA owns a parcel of real property, a description and map of which are attached hereto as Attachment "A" (the "Property"); and

WHEREAS, Oncor Electric has expressed interest in acquiring the Property as part of its relocation of certain utility lines related to the NET RMA's construction of Segment 4 of Toll 49; and

WHEREAS, Section 14 of the NET RMA's Policies and Procedures Governing Procurements of Goods and Services (the "Procurement Policies") permits the NET RMA to sell surplus real property, including right-of-way, in accordance with Section 272.001(b) of the Local Government Code; and

WHEREAS, Section 14 of the Procurement Policies permits the sale of surplus property only if the NET RMA receives compensation at least equal to the fair market value of the property, except to the extent that sale for less than fair market value is otherwise permitted by law; and

WHEREAS, the Board of Directors is required to make certain findings concerning the need for and use of the Property before engaging in the sale thereof.

NOW THEREFORE, BE IT RESOLVED, that the Board of Directors of the NET RMA hereby finds that the Property described in Attachment "A", is no longer needed for NET RMA purposes, that the sale of the Property will not negatively impact the safe and efficient operation or maintenance of NET RMA facilities, and that the sale of the Property will not impair the preservation of the NET RMA's real property for existing or future transportation-related uses planned or identified by the NET RMA; and

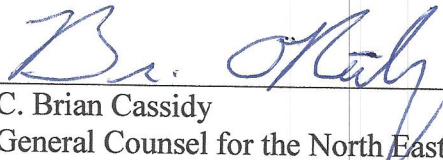
BE IT FURTHER RESOLVED, that the Board of Directors finds that the Property is a narrow strip of land and that cannot be used independently and is therefore exempt from the public sale requirement under Section 272.001 of the Local Government Code and Section 14 of the Procurement Policies; and

BE IT FURTHER RESOLVED, that the Board of Directors hereby authorizes the Executive Director to take such action as may be necessary to obtain an appraisal to determine the fair market value of the Property; and

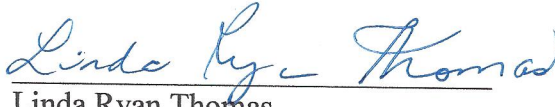
BE IT FURTHER RESOLVED, that the Executive Director is authorized to negotiate and execute such documents as are necessary to effectuate a sale of the Property, provided that such sale may not be for a price that is less than fair market value as determined by the appraisal.

Adopted by the Board of Directors of the North East Texas Regional Mobility Authority on the 9th day of November, 2016.

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  
Date Passed: 11/09/16