



**COMMISSIONERS COURT
COMMUNICATION**

COURT ORDER NUMBER _____

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DATE: 11/5/2024

SUBJECT: CONSIDERATION OF RESOLUTION AND ORDER DECREERING PUBLIC NECESSITY FOR A PUBLIC PROJECT FROM TINSLEY LANE TO PEDEN ROAD AND AUTHORIZATION TO ACQUIRE RIGHT-OF-WAY

***** CONSENT AGENDA *****

COMMISSIONERS COURT ACTION REQUESTED

It is requested that the Commissioners Court consider the Resolution and Order Decreeing Public Necessity for a new public road located between Tinsley Lane and Peden Road, and authorize the acquisition and payment of compensation for property.

BACKGROUND

The County has determined that it is necessary to provide a second point of access for the residents of the Vista Ridge Addition. The new road located between Tinsley Lane and Peden Road in Precinct 4, will be part of the county road system and will be constructed and maintained by the county. The proposed roadway will consist of a two (2) lane 24' wide asphalt road with 3' wide shoulders and roadside ditches for stormwater conveyance.

The acquisition of new right-of-way is needed for the entire length of new construction. The County is preparing to acquire the necessary right-of-way for this project.

FISCAL IMPACT

Funds are available in account 26100-2025 Road and Bridge Fund/6510100000 Transportation Right of Way/552000 County Right of Way.

SUBMITTED BY	Transportation Services	PREPARED BY:	Joseph Jackson
		APPROVED BY:	Scott Hall

**RESOLUTION AND ORDER DECREERING PUBLIC NECESSITY
FOR A NEW PUBLIC ROAD
LOCATED BETWEEN TINSLEY LANE AND PEDEN ROAD
AUTHORIZING ACQUISITION AND PAYMENT OF COMPENSATION**

THE STATE OF TEXAS §

COUNTY OF TARRANT §

WHEREAS, on this _____ day of _____ 2024, at a regular meeting of the Commissioners Court of Tarrant County, Texas, sitting as the governing body of Tarrant County, upon motion of Commissioner _____, seconded by Commissioner _____, duly put and carried:

RESOLUTION

RESOLVED, THAT WHEREAS, the Commissioners Court has received and reviewed the plans for a new public road between Tinsley Lane and Peden Road in Tarrant County, Texas, and;

WHEREAS, the Commissioners Court finds that in order to promote the public safety, to facilitate the safety and movement of traffic and to preserve the financial investment of Tarrant County, Texas, in its roadways, a public necessity exists for the location, alignment, construction, operation and maintenance of said new public road in accordance with said plans;

ORDER

NOW, THEREFORE, IT IS ORDERED AND DECREED that in order to promote the public safety, to facilitate the safety and movement of traffic and to preserve the financial investment of Tarrant County, Texas, in its roadways, a public necessity exists for the accomplishment of a new public road between Tinsley Lane and Peden Road that the plans for the location, alignment, construction, operation and maintenance of said project hereby be approved; that public necessity

requires the acquisition by donation, purchase, condemnation or otherwise of the land and improvements, if any, located within the alignment of said projects; that the Right of Way Section of the Tarrant County Transportation Services Department is authorized to obtain and make payment for appraisals, engineering reports, surveys, title information, closing costs, removal of improvements, relocation, environmental testing, utility relocation and/or any other necessary or appropriate items, to secure by donation, if possible, and/or to make an official offer of a specific amount for the purchase of either an easement or the fee simple interest in and to each separate tract situated within such alignment, that the Criminal District Attorney be and is hereby authorized and directed to file or cause to be filed, to spend all reasonable and necessary legal expenses, and to carry through to final judgment, proceedings in eminent domain and to acquire thereby an easement or the fee simple interest for said purposes in each of said tracts which cannot be acquired as aforesaid by donation or purchase; that the Right of Way Section of the Transportation Services Department, the Criminal District Attorney, the County and District Clerks, and the County Auditor be and are hereby authorized and directed to perform any and all necessary acts within their respective spheres of official duties towards the final acquisition of each and all of the tracts of land, or interest therein, together with the improvements, if any, thereon, within the alignment of said projects and the payment of compensation therefore, further, it does not obligate Tarrant County, Texas to spend any specific amount of money on the above-described project.

TARRANT COUNTY, TEXAS

BY: _____
COUNTY JUDGE

The above has been assigned Court Order No. _____, and recorded in Volume _____,
of the Commissioners Court Minutes.

Deputy for County Clerk

Approved as to Form:*

Assistant Criminal District Attorney

*By law, the Criminal District Attorney's Office may only advise or approve contracts or legal documents on behalf of its clients. It may not advise or approve a contract or legal document on behalf of other parties. Our review of this document was conducted solely from the legal perspective of our client. Our approval of this document was offered solely for the benefit of our client. Other parties should not rely on this approval and should seek review and approval by their own attorney.

CERTIFICATION OF FUNDS AVAILABILITY

COUNTY AUDITOR