



125 EAST 11TH STREET, AUSTIN, TEXAS 78701-2483 | 512.463.8588 | WWW.TXDOT.GOV

April 10, 2020

COUNTY OF WEBB
1000 HOUSTON ST
LAREDO, TX 78040-80179

Certified Mail: 9171 9690 0935 0187 1649 12

Re: Right-of-Entry Form Instructions

Property ID: 208824

Dear COUNTY OF WEBB

The Texas Department of Transportation (TxDOT) is developing a project to add additional travel lanes to a portion of US 83 from the US 83/IH 35 underpass to 1 mile north of SH 255 for a total project length of approximately 5.1 miles in Webb County, Texas (Project). TxDOT is contacting landowner(s) of property located adjacent to the proposed Project and that may be affected by the Project in order to request permission to enter the property to perform various types of investigations.

The enclosed Right-of-Entry Form (Form) provides a detailed explanation of the types and nature of the investigations that are needed.

If you wish to grant TxDOT right-of-entry onto your property, please follow these steps to complete and return the enclosed Form **within fifteen days of the date of this letter.**

- Sign and date the Form.
- Add your comments and conditions for the right-of entry at the bottom of the Form.
- Make a copy for your records.
- Mail the original to:

Texas Department of Transportation
Attn: Chris Kloss
1817 Bob Bullock LP
Laredo, TX 78043

- If you have questions, please contact:
Name: Chris Kloss – Environmental Coordinator
956-712-7445; chris.kloss@txdot.gov

Please note that you are not required to grant TxDOT right-of-entry at this time. However we appreciate your consideration of this request.

Sincerely,

DocuSigned by:

F7C3A305BFEB4F2
Humberto "Tito" Gonzalez, Jr., P.E.
Director of Transportation Planning and Development

RECEIVED
APR 14 2020

Webb County Judge's Office

OUR VALUES: People • Accountability • Trust • Honesty

OUR MISSION: Through collaboration and leadership, we deliver a safe, reliable, and integrated transportation system that enables the movement of people and goods.

An Equal Opportunity Employer



Right-of-Entry Agreement

Roadway Name: US 83

Project Limits: From 1 mile North of SH 255 To I-35/US 83 Underpass

Control Section Job Number (CSJ): 0037-10-040

District and County: Laredo District, Webb County

Parcel ID: 208824

Property Legal Description: TRACT 3 3.6129 ACRES FOUR POINTS SUBD

The undersigned property owner or authorized designee (Grantor) hereby grants unto the Texas Department of Transportation (TxDOT) a right-of-entry (ROE) upon the real property (Property) shown on the attached map (Attachment A) for the purpose of conducting environmental investigations (the Agreement).

TxDOT Laredo District has proposed to widen the existing roadway by adding two additional travel lanes on US 83, from I-35/US 83 underpass to 1 mile north of SH 255, Webb County, Texas (Project). The Property is located adjacent to the transportation undertaking and in an area that may be affected by the Project (Corridor).

TxDOT is required by state and federal environmental laws to determine whether there are specific environmental resources located in the vicinity of the Project and evaluate the potential for impacting the resources that may be located in the Corridor. TxDOT or TxDOT contractors may be performing investigations for the Project, and may be identifying environmental resources along the Corridor including, but not limited to:

- | | |
|--|---|
| <input checked="" type="checkbox"/> Wetlands and Streams | <input checked="" type="checkbox"/> Cultural Resources, Historical and Archeological |
| <input checked="" type="checkbox"/> Hazardous Materials | <input checked="" type="checkbox"/> Threatened and Endangered Species |
| <input checked="" type="checkbox"/> Sensitive Habitat/Areas | <input type="checkbox"/> Land Surveying |

Work that TxDOT deems necessary to complete schematic design, surveying, and environmental investigations needed for the Project will be conducted by TxDOT or TxDOT contractors. The investigations may include surveys to identify archeological sites and, if sites are present, further evaluation of those sites to determine their eligibility for inclusion in the National Register of Historic Places and designations as a State Antiquities Landmark may be required. In some cases, the investigations may also involve the following activities (only if the box is checked):

- Limited hand excavation (such as a series of shovel-dug probes); and/or
- Mechanical trenching and scraping (trenches/scraping typically 5 by 15 feet in size and 6 feet in depth).

Any excavations that are conducted will be backfilled, and the surface will be returned as closely as practicable to its original state.



Right-of-Entry Agreement

In addition, TxDOT may need to investigate habitat and areas that may include threatened or endangered species and areas that may be wetlands or streams. Land surveying in the project vicinity, along the roadway right-of-way, may also need to be performed. Field investigations would likely take place on foot, but may require an all-terrain-vehicle (ATV) depending on the activities to be performed.

The Grantor understands and agrees to the following terms and conditions:

- After granting the requested Right-of-Entry, the Owner, or authorized agent with signatory responsibilities reserves all rights, titles and interest in and to the property.
- The Right-of-Entry shall not prejudice the Owner's rights to any relocation benefits for which the Owner or Owners would otherwise be eligible.
- The Owner, Owners or authorized representative with signatory authority, grants TxDOT or TxDOT's contractors access to perform the investigation work at its own risk and expense. Temporary flagging or temporary markers may be used to located specific features or survey points at the property.
- TxDOT is authorized to cross other portions of the Property in order to gain access to the Corridor for purposes of the investigative work.
- To the extent possible, TxDOT, and its contractors will walk the Corridor and observe all of the information needed for the investigation, without using excavations. TxDOT will leave the Property in substantially the same condition as it was prior to the investigation.
- The Agreement shall be effective the date it is executed and shall remain in effect until the earlier of
 1. The Agreement is revoked in writing by the Grantor
 2. The Property no longer belongs to the Grantor, or
 3. The Property is acquired by the State of Texas.
- The Grantor may be present during the investigation. Please indicate the preferred method for notification at the bottom of the form.
- The Grantor will contact any tenants or lessees on the Property, or will provide the names and contact numbers to TxDOT prior to TxDOT or its contractors entering the Property.
- The Right-of-Entry, unless revoked or terminated, shall extend to and bind the signatory parties, their heirs, executors, administrators, legal representatives, successors, and assigns, including the contractors, consultants, agents and all others TxDOT has deemed necessary to share in this Right-of-Entry.
- If the Owner is not the original individual, by signature, the undersigned authorized representative of the Owner with signatory authority warrants and represents that he or she is duly authorized and empowered to enter into and to execute the Right-of-Entry on behalf of the Owner
- If the Property is owned by multiple Owners, all legal Owners must sign this Right-of Entry Form for it to be effective.
- Any artifacts found during the investigation will be documented in the field and then returned to the place from which they were found.



Right-of-Entry Agreement

If you have any questions about the investigations or surveys that may be conducted , or if you have information about the Property you wish to share, please contact:

Chris Kloss, Environmental Coordinator, Laredo District

**1817 Bob Bullock LP
Laredo, TX 78043**

Email address: chris.kloss@txdot.gov

Telephone Number: (956) 712-7445

Note that information, conditions, or comments concerning the Property may be described below.

IN WITNESS WHEREFORE, this Agreement if executed on and shall be effective as of this

1st day of May, 2020

<hr/> <hr/>	<hr/> <hr/>
PROPERTY OWNER/AUTHORIZED AGENT -SIGNATURE	PROPERTY OWNER/AUTHORIZED AGENT -SIGNATURE
<hr/> <hr/>	<hr/> <hr/>
PROPERTY OWNER/AUTHORIZED AGENT –PRINT NAME	PROPERTY OWNER/AUTHORIZED AGENT –PRINT NAME
Contact information:	Contact Information:
Telephone Number: _____	Telephone Number: _____
Email Address: _____	Email Address: _____
Mailing Address: _____	Mailing Address: _____
_____	_____
_____	_____



Comment/Conditions for Right-of-Entry or Denial of Right-of-Entry
(Include contact information for advanced notification)

The environmental review, consultation, and other actions required by applicable Federal environmental laws for this project are being, or have been, carried-out by TxDOT pursuant to 23 U.S.C.327 and a Memorandum of Understanding dated December 16, 2014, and executed by FHWA and TxDOT.

Attachment A

208823

Legend

-  Property Lines
-  Proposed ROW Acquisition

Webb Rd

FOUR POINTS SUBDIVISION
VOLUME 3, PAGE 12
M.R.W.C.T.

FOUR POINTS SUBDIVISION
VOLUME 3, PAGE 12
M.R.W.C.T.

FRAC 7 (BY DEED)
9.8668 ACRES (BY DEED)
VOLUME 2684, PAGE 573
D.R.W.C.T.
EXECUTED DECEMBER 2, 2008

9.8668 ACRES (BY DEED)
VOLUME 134, PAGE 129
D.R.W.C.T.
EXECUTED SEPTEMBER 20, 1988

Google Earth

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