

**STATE OF TEXAS     §**

**COUNTY OF WEBB   §**

**RESOLUTION 01-25-21-\_\_\_\_\_**  
**WEBB COUNTY COMMISSIONERS COURT**  
**WEBB COUNTY, TEXAS**

**AUTORIZING THE COUNTY JUDGE TO ENTER INTO AN AGREEMENT WITH THE TEXAS DEPARTMENT OF TRANSPORTATION TO CONTRIBUTE RIGHT OF WAY FUNDS (FIXED PRICE) IN THE AMOUNT OF FORTY-FOUR THOUSAND THREE HUNDRED EIGHTY-FIVE DOLLARS (RCSJ 0086-02-029)**

**WHEREAS**, Texas Transportation Code §§ 201.103 and 222.052 establish that the State shall design, construct, and operate a system of highways in cooperation with local governments; and

**WHEREAS**, Texas Transportation Code, §§ 201.209 authorizes the State and a Local Government to enter into agreements in accordance with Texas Government Code, Chapter 791; and

**WHEREAS**, the State has deemed it necessary to make certain highway improvements on Highway No. SH 359 from 8.935 Miles E of Loop 20 to 9.830 Miles E of Loop 20, and this section of highway improvements will necessitate the acquisition of certain right of way and the relocating and adjusting of utilities (the “Project”); and

**WHEREAS**, Webb County requests that the State assume responsibility for acquisition of all necessary right of way and adjustment of utilities for this highway project; and

**WHEREAS**, Webb County desires to enter into a fixed price joint participation agreement pursuant to 43 TAC §15.52 to contribute to the State funding participation as defined in 43 TAC §15.55 for the cost of acquiring the right of way and relocating or adjusting utilities for the proper improvement of the State Highway System; and

**WHEREAS**, the Webb County Commissioners Court approves entering into an Agreement to Contribute Right of Way Funds (Fixed Price) in the amount of Forty-Four Thousand Three Hundred Eighty-Five Dollars (RCSJ 0086-02-029), payable over five years in five equal installments beginning March 1, 2021.

**NOW, THEREFORE, BE IT RESOLVED BY THE WEBB COUNTY COMMISSIONERS COURT THAT:**

Section 1:     Webb County approves entering into the Agreement to Contribute Right of Way Funds (RCSJ 0086-02-029) and the County Judge is authorized to sign the Agreement on behalf of Webb County; and

Section 2: The Commissioners Court directs that this Resolution be included with the Agreement to Contribute Right of Way Funds (RCSJ 0086-02-29).

**PASSED BY THE WEBB COUNTY COMMISSIONERS COURT ON THIS THE 25<sup>th</sup> DAY OF JANUARY, 2021.**

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Tano E. Tijerina  
Webb County Judge

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Jesse Gonzalez  
Commissioner, Precinct 1

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Rosaura "Wawi" Tijerina  
Commissioner, Precinct 2

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John Galo  
Commissioner, Precinct 3

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Cindy Liendo  
Commissioner, Precinct 4

ATTEST:  
Margie Ramirez Ibarra  
Webb County Clerk

By: \_\_\_\_\_

APPROVED AS TO FORM:

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Nathan R. Bratton  
General Counsel  
Civil Legal Division\*

\*The General Counsel, Civil Legal Division's office, may only advise or approve contracts or legal documents on behalf Webb County, its client. 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 of their own respective attorney(s).