

**GENERAL MEETING OF THE BOARD OF DIRECTORS
OF THE
CENTRAL TEXAS REGIONAL MOBILITY AUTHORITY**

RESOLUTION NO. 08-51

WHEREAS, the Central Texas Regional Mobility Authority ("CTRMA") was created pursuant to the request of Travis and Williamson Counties and in accordance with provisions of the Transportation Code and the petition and approval process established in 43 Tex. Admin. Code § 26.01, *et. seq.* (the "RMA Rules"); and

WHEREAS, Chapter 370 of the Texas Transportation Code authorizes regional mobility authorities to develop projects through the use of comprehensive development agreements ("CDAs"); and

WHEREAS, the CTRMA identified the 183-A Turnpike Project (the "Project") as its initial project in a petition filed under the RMA Rules; and

WHEREAS, the environmental review process required by the National Environmental Policy Act for the Project was undertaken and completed by the Texas Department of Transportation, with the Final Environmental Impact Statement being approved on May 10, 2001 and the Record of Decision being issued July 19, 2001 ("Environmental Process"); and

WHEREAS, on or about August 15, 2006, a previously unidentified historic structure (referred to as the "Bryson Farmstead") was discovered as part of the environmental review process for Williamson County Road 274 and its planned intersection with the Project; and

WHEREAS, in accordance with Section 106 of the National Historic Preservation Act, various interested parties including the Environmental Division of TxDOT, the Federal Highway Administration, the Texas State Historical Preservation Officer, the Advisory Council on Historic Preservation, the Owners of the Bryson Farmstead, the CTRMA and others held meetings to determine the efforts and remedies necessary to address the discovery of the Bryson Farmstead and the potential impact the Project and the intersection with County Road 274 might have on the Bryson Farmstead; and

WHEREAS, a Letter Agreement was executed effective October 18, 2006 that set forth what undertakings would be necessary relating to the possible impact of the Project on the Bryson Farmstead, including the ultimate execution of a Memorandum of Agreement (the "MOA") by and among the various parties; and

WHEREAS, all of the parties have continued their respective efforts to address the requirements of the Letter Agreement, as well as develop the final form of the MOA, and such final form was authorized by the Board of Directors on July 30, 2008, as provided in Resolution No. 08-43; and

WHEREAS, the authorized MOA provides that the CTRMA shall contract with the Owners of the Bryson Farmstead to purchase approximately six acres as described in the MOA (the "Six Acres") on terms to be agreed upon between the CTRMA and the Owners; and


WHEREAS, the CTRMA staff recommends certain terms and conditions to be used in the purchase of the Six Acres and included in an Earnest Money Contract by and between the Owners of the Bryson Farmstead and the CTRMA.

NOW THEREFORE, BE IT RESOLVED, that the Board of Directors hereby approves the recommended terms for the purchase of the Six Acres and authorizes the Executive Director to negotiate and execute an Earnest Money Contract for the purchase of the Six Acres consistent with the recommended terms and the MOA, and further authorizes the Executive Director to execute the necessary documents and deliver the necessary funds to close the sale and purchase of the Six Acres under the terms of the Earnest Money Contract.


Adopted by the Board of Directors of the Central Texas Regional Mobility Authority on the 27th day of August, 2008.

Submitted and reviewed by:

Approved:



Tom Nielson
General Counsel for the Central
Texas Regional Mobility Authority



Robert E. Tesch
Chairman, Board of Directors
Resolution Number 08-51
Date Passed 08/27/08