



**CENTRAL TEXAS
Regional Mobility Authority**

AGENDA ITEM #10 SUMMARY

Authorize the Executive Director to negotiate and execute certain agreements to restrict direct access to Mobility Authority right-of-way from adjacent land.

Strategic Plan Relevance:	Regional Mobility
Department:	Law
Associated Costs:	Less than \$3,000 per agreement
Funding Source:	Capital Budget
Board Action Required:	Yes

Description of Matter:

Description of Matter: The Mobility Authority has the power to regulate the location of driveways that directly access its roads. As a matter of practice, however, the Mobility Authority also offers to purchase the right to direct access to Mobility Authority right-of-way from the owner of land adjoining the right-of-way. Like other contracts affecting an interest in real estate, these purchase contracts have been brought to the Board for its consideration and approval.

Because these contracts typically require a payment of less than \$3,000, delegating authority to the Executive Director to purchase a right of direct access when appropriate will reduce the procedural steps needed to complete the transaction, and lessen delay for the landowner and free up time required by staff and the Board of Directors to consider and act on the contracts.

Reference documentation: Draft Resolution

Contact for further information: Andrew Martin, General Counsel

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

RESOLUTION NO. 12-___

**AUTHORIZING THE EXECUTIVE DIRECTOR TO NEGOTIATE AND EXECUTE
CERTAIN AGREEMENTS THAT RESTRICT DIRECT ACCESS TO MOBILITY
AUTHORITY RIGHT-OF-WAY FROM ADJACENT LAND.**

WHEREAS, the Mobility Authority from time to time offers to purchase from landowners whose property abuts Mobility Authority right-of-way the right of that landowner to direct access for purposes of ingress and egress from the abutting land (a “denial of access right”); and

WHEREAS, the purchase price offered by the Mobility Authority for a particular denial of access right normally does not exceed \$3,000.00; and

WHEREAS, under subsection (a)(6), Sec. 301.038 of the Mobility Authority Policy Code, the executive director “may execute contracts, contract supplements, contract change orders, and purchase orders not exceeding amounts established in Resolutions of the board;” and

WHEREAS, the Board of Directors has determined that delegating authority to the Executive Director to approve the purchase or release of certain denial of access rights will be beneficial to landowners, staff, and the Board by streamlining the process for those purchases.

NOW THEREFORE, BE IT RESOLVED, that the Board hereby delegates to the Executive Director the authority to execute on behalf of the Mobility Authority a contract with to acquire, release, or exchange direct access rights to and from land abutting Mobility Authority right-of-way as deemed necessary by the Executive Director to protect the public safety and the convenience of the users of a transportation project on Mobility Authority right-of-way; and

BE IT FURTHER RESOLVED that Board of Director approval is required for any contract otherwise subject to this resolution that requires the Mobility Authority to pay more than \$3,000.00 for direct access rights for a particular parcel of land.

Adopted by the Board of Directors of the Central Texas Regional Mobility Authority on the 5th day of December, 2012.

Submitted and reviewed by:

Approved:

Andrew Martin
General Counsel for the Central
Texas Regional Mobility Authority

Ray A. Wilkerson
Chairman, Board of Directors
Resolution Number: 12-___
Date Passed: 12/5/2012