

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

RESOLUTION NO. 09-45

**Acquisition of 1.987 acres from JW 290, Ltd. for
Right of Way Related to the 290 East Toll Project**

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, the Board of Directors of the CTRMA has been constituted in accordance with the Transportation Code and the RMA Rules; and

WHEREAS, in a minute order approved on August 25, 2005, the Texas Transportation Commission authorized the CTRMA to pursue the development of the 290 East Toll Project (the "Project"); and

WHEREAS, in Resolution No. 08-62, dated December 17, 2008, the Board of Directors exercised the option of the CTRMA to develop the Project as provided for under the process and procedures of Section 228.0111 of the Texas Transportation Code and a letter notifying the Texas Department of Transportation of the CTRMA's exercising such option was sent on March 17, 2009; and

WHEREAS, the CTRMA has begun efforts to acquire the necessary right of way for the Project pursuant to its authority under Section 370 of the Texas Transportation Code and has undertaken discussions with various affected land owners regarding the terms and conditions of such acquisition; and

WHEREAS, one tract to be acquired as right of way for the Project consists of approximately 1.987 acres and is owned by JW 290, Ltd. (the JW 290 Tract") and the CTRMA and the owner have negotiated a proposed contract and related documents for the acquisition of the JW 290 Tract, and such contract is in substantially the form set forth in Attachment "A" attached hereto and incorporated herein (the "Contract"); and

WHEREAS, the CTRMA Right of Way Committee has considered the terms and conditions for the acquisition of the JW 290 Tract as reflected in the Contract and related documents and has recommended approval of the acquisition thereof; and

WHEREAS, it is necessary that the Board of Directors approve the terms and conditions related to the acquisition of the JW 290 Tract and its purchase as right of way for the Project pursuant to the Contract.

NOW THEREFORE, BE IT RESOLVED, that the Board of Directors of the CTRMA hereby authorizes the Executive Director and staff to finalize the form and substance of the Contract and related documents for the acquisition of the JW 290 Tract in substantially the form set forth in Attachment "A"; and

BE IT FURTHER RESOLVED, that the Executive Director is authorized to execute all documents and instruments on behalf of the CTRMA necessary to purchase the JW 290 Tract, including the Contract, for the purposes set forth herein consistent with the provisions of this Resolution and may undertake all necessary actions to fully close such transaction and acquire the JW 290 Tract either in the name of CTRMA or the Texas Department of Transportation, as appropriate.

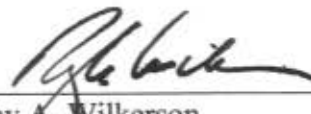
Adopted by the Board of Directors of the Central Texas Regional Mobility Authority on the 31st day of July, 2009.

Submitted and reviewed by:



Tom Nielson
General Counsel for the Central
Texas Regional Mobility Authority

Approved:



Ray A. Wilkerson
Chairman, Board of Directors
Resolution Number 09-45
Date Passed 7/31/09

ATTACHMENT "A"
CONTRACT FOR PURCHASE OF 1.987 ACRES
FROM JW 290, LTD.