

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

RESOLUTION NO. 14-084

APPROVING A PROPOSED SETTLEMENT AGREEMENT IN CENTRAL TEXAS REGIONAL MOBILITY AUTHORITY AND THE STATE OF TEXAS V. FREDERIC CLARKE MORSE, III, ET AL., CAUSE NO. C-1-CV-11-003526, TO ACQUIRE BY EMINENT DOMAIN PARCELS 8 AND 8E OF THE MANOR EXPRESSWAY TOLL PROJECT, CONSISTING OF A 2.175 ACRE TRACT IN FEE SIMPLE AND A 0.18 ACRE DRAINAGE EASEMENT, LOCATED AT THE SOUTHEAST CORNER OF THE INTERSECTION OF US HIGHWAY 290 AND US 183 IN TRAVIS COUNTY.

WHEREAS, pursuant to and under the authority of Subchapter E, Chapter 370, Texas Transportation Code and other applicable law, the Central Texas Regional Mobility Authority ("Mobility Authority") has previously found and determined that to promote the public safety, to facilitate the safety and movement of traffic, and to preserve the financial investment of the public in its roadways and the roadways of the State of Texas, public convenience and necessity requires acquisition of real property and an interest in real property known as Parcels 8 and 8E, respectively a 2.175 acre tract in fee simple and a 0.18 acre drainage easement, located at the southeast corner of the intersection of US Highway 290 and US 183 in Travis County, owned by Fred and Scott Morse (the "Owners"), for the construction, reconstruction, maintaining, widening, straightening, lengthening, and operating of the US 290 East Toll Project (the "Project"), as a part of the improvements to the Project; and

WHEREAS, attorneys for the Mobility Authority and for the Owner have agreed to resolve all outstanding disputes in pending litigation in the Travis County courts styled *Central Texas Regional Mobility Authority and the State Of Texas v. Frederic Clarke Morse, III, et al.*, Cause No. C-1-CV-11-003526, and to acquire the Owner's interests in Parcels 8 and 8E in exchange for a payment to the Owners by the Mobility Authority of \$815,000.00; and

WHEREAS, the Executive Director recommends approval of the proposed settlement agreement and payment to the Owners as described in the preceding clause.

NOW, THEREFORE, BE IT RESOLVED that the Board hereby approves a settlement proposal and authorizes attorneys for the Mobility Authority to negotiate and the Executive Director to execute an agreement between the Mobility Authority and the Owners that resolves all outstanding claims and disputes in the pending litigation and by which the Mobility Authority acquires Parcels 8 and 8E from the Owners in exchange for payment to the Owners of \$815,000.00.

[Signatures on the following page]

Adopted by the Board of Directors of the Central Texas Regional Mobility Authority on the 29th day of October, 2014.

Submitted and reviewed by:

Approved:



Andrew Martin
General Counsel for the Central
Texas Regional Mobility Authority



Ray A. Willerson
Chairman, Board of Directors
Resolution Number: 14-084
Date Passed: 10/29/14