

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, APPROVING THE TERMS AND CONDITIONS OF AN AGREEMENT TO CONTRIBUTE RIGHT OF WAY FUNDS (FIXED PRICE), BY AND BETWEEN THE CITY OF ALLEN, TEXAS, AND THE STATE OF TEXAS, ACTING BY AND THROUGH THE TEXAS DEPARTMENT OF TRANSPORTATION, FOR FUNDING FOR CERTAIN HIGHWAY IMPROVEMENTS ON HIGHWAY NO. US 75 AT RIDGEVIEW DRIVE; AUTHORIZING ITS EXECUTION BY THE CITY MANAGER, OR DESIGNEE; AND PROVIDING AN EFFECTIVE DATE.

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. US 75 at Ridgeview Drive, and this section of highway improvements will necessitate the acquisition of certain right of way and the relocating and adjusting of utilities (the “US 75 @ Ridgeview Drive Project”); and,

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

WHEREAS, the Local Government 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 City Council has been presented a proposed Agreement to Contribute Right of Way Funds (Fixed Price) (‘Agreement’) by and between the City of Allen, Texas, and the State of Texas, acting by and through the Texas Department of Transportation, which provides funding for certain highway improvements on Highway No. US 75 at Ridgeview Drive, and this section of highway improvements will necessitate the acquisition of certain right of way and the relocating and adjusting of utilities (ROW CSJ 0047-06-169 / CSJ 0047-06-161); and,

WHEREAS, upon full review and consideration of the Agreement, and all matters related thereto, the City Council is of the opinion and finds that the terms and conditions thereof should be approved, and that the City Manager, or designee, should be authorized to execute the Agreement on behalf of the City of Allen, Texas.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, THAT:

SECTION 1. The Agreement to Contribute Right of Way Funds (Fixed Price) for the US 75 @ Ridgeview Drive Project, which provides funding for certain highway improvements on Highway No. US 75 at Ridgeview Drive, having been reviewed by the City Council of the City of Allen, Texas, and found to be acceptable and in the best interest of the City and its citizens, be, and the same is hereby, in all things approved, and the City Manager, or designee, is hereby authorized to execute the Agreement to Contribute Right of Way Funds (Fixed Price) (and any amendments thereto, including any related instruments) on behalf of the City of Allen, Texas.

SECTION 2. This Resolution shall become effective from and after its passage.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, ON THIS THE 28TH DAY OF JULY 2020.

APPROVED:

Debbie Stout, MAYOR

ATTEST:

Shelley B. George, TRMC, CITY SECRETARY
(PGS:7-13-20:TM 116743)