



# Texas Department of Transportation

1701 SOUTH PADRE ISLAND DRIVE • CORPUS CHRISTI, TEXAS 78416 • (361) 808-2300

May 28, 2013

**RECEIVED**

Corpus Christi District  
Nueces County  
FM 43: From SH 286 to Yorktown Blvd.  
RCSJ: 1557-01-040  
CCSJ: 1557-01-037

MAY 30 2013

LOYD NEAL  
County Judge, Nueces County, Texas  
By MC

The Honorable Samuel L. Neal, Jr.  
Nueces County Judge  
901 Leopard Street, Suite 303  
Corpus Christi, Texas 78401

Dear Honorable Judge Neal:

This letter concerns the acquisition of additional land needed to improve highway FM 43 (Weber Road). The improvements will require acquisition of a portion of two (2) parcels of land along FM 43 located at the corners of SH 286 and Yorktown Boulevard, comprised of a total of approximately 0.573 acres (24,960 square feet). Parcel 1, at the corner of FM 43 and SH 286 is the only parcel within the Nueces County limits, and is comprised of approximately 0.355 acres (15,447 square feet).

As you are aware, local government participation is required, 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. There are two types of contractual agreements which may be executed for right of way acquisition. The first type, the "Agreement for Right of Way Procurement," provides for Nueces County to handle the acquisition of right of way. The State would reimburse 90% of the right of way costs upon delivery of acceptable conveyance instruments to the State.

The alternate agreement is known as the "Agreement to Contribute Right of Way Funds." This agreement provides for Nueces County to contribute an amount equal to 10% of the estimated cost of right of way and utility adjustments. This is the option typically chosen, where TxDOT handles the right of way acquisition and utility adjustments for the Local Participating Agency (LPA). The following is an estimate of costs the County would participate in if this method of contribution is utilized.

THE TEXAS PLAN

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Total Estimated Cost (Right of Way and Utilities)	\$10,000
Nueces County's 10%	\$ 1,000

Consequently, we ask Nueces County to agree to contribute \$1,000.00 to allow us to commence with acquisition of this project. An additional contribution will be required if the actual costs exceed the \$10,000.00 estimate. If actual costs are less than the estimate, the overage will be refunded.

Blank contracts for the typical method of contribution are attached, along with a right of way map for the project. Please review and consider the information, and contact us when a decision is reached. We will need the following to enable us to begin the right of way acquisition process:

1. Three (3) executed originals of "Agreement to Contribute Right of Way Funds"
2. Ordinance or Resolution of the County Commissioners inserted as Attachment A.
3. Grant of signature authority to the person(s) signing the Agreement so stated in the Resolution or Ordinance
4. Check for \$1,000.00 made out to "Texas Department of Transportation Trust Fund"

We appreciate your cooperation and look forward to working with you. Please contact Linda Morgan-Doss at (361) 808-2268 if you have any questions, require additional information, or would like to schedule a meeting.

Sincerely,

  
Nelda R. Eureste  
Right of Way Manager  
South Region

Enclosures: Preliminary Right of Way Map  
"Agreement to Contribute Funds – Local Government"

cc: Lonnie Gregorcyk, P.E. - Corpus Christi District Engineer  
Paula Sales-Evans, P.E. – Director Transportation Planning and Development

CMRRR: 7008 0500 0001 4380 3717