

RESOLUTION ACCEPTING THE PROVISIONS OF
STATE DEPARTMENT OF HIGHWAYS AND PUBLIC
TRANSPORTATION COMMISSION MINUTE ORDER

THE STATE OF TEXAS § Abilene , Texas
COUNTY OF TAYLOR § March 23 , 19 89

MOTION was made by Councilman Wheat and seconded by
Councilman Ceniglis that the City of Abilene

accept the provisions contained in Minute Order 88246 passed by the State
Department of Highways and Public Transportation Commission on January 30 ,
19 89 , for the improvement by the State Department of Highways and Public
Transportation of the project described below:

Reconstruction of Judge Ely Boulevard, from 0.3 mile north of North 10th
Street northeasterly to 0.2 mile south of Interstate Highway 20, a distance
of approximately 1.2 miles.

VOTE on the motion was as follows:

Councilman McCaleb: Abstain

Mayor Ferguson: Aye

Councilwoman Ray: Aye

Councilman Ceniglis: Aye

Councilman Wheat: Aye

Councilman Robinson: Aye

WHEREUPON the motion was declared _____ .

THE STATE OF TEXAS §
COUNTY OF TAYLOR §

I hereby certify that the foregoing is a true and correct copy of the order
passed by the City Council of the City of Abilene
on March 23 , 19 89 .

(Seal)

Jo Moore
Jo Moore, City Secretary

STATE DEPARTMENT OF HIGHWAYS
AND PUBLIC TRANSPORTATION

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District No. ABILENE (8)

WHEREAS, in TAYLOR COUNTY in the City of Abilene on JUDGE ELY BOULEVARD from 0.3 mile north of 10th Street northeasterly to 0.2 mile south of Interstate Highway 20, a distance of approximately 1.2 miles, local officials have requested that the Department prepare the Plans, Specifications and Estimates, let to contract and perform the construction engineering for a project to relocate this section of Judge Ely Boulevard; and

WHEREAS, local officials have offered to provide \$1,243,100 necessary to fund this relocation project;

NOW, THEREFORE, IT IS ORDERED that the Engineer-Director is hereby directed to tender the following proposal to the City of Abilene:

Provided the City of Abilene will:

1. Provide one hundred percent of the cost of right of way clear of obstructions and free of cost to the State with acquisition procedures to be in accordance with policies of the State Department of Highways and Public Transportation and with applicable Federal and State laws governing the acquisition policies for acquiring real property.
2. Provide one hundred percent of the cost of eligible utility adjustments as may be required in accordance with policies of the State Department of Highways and Public Transportation.
3. Provide relocation assistance as may be determined to be eligible under the Relocation Assistance Program.

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4. Provide one hundred percent of the cost for plans, specifications and estimates, to include the environmental assessment, all in accordance with policies and procedures of the State Department of Highways and Public Transportation.
5. Provide for the cost of construction and construction engineering.
6. Upon completion of the construction of this project, maintain that portion of the work which is its responsibility in accordance with Federal and State requirements, and agree to regulate traffic and prevent encroachment on the right of way, all in accordance with governing policies and regulations of the State Department of Highways and Public Transportation.

The State Department of Highways and Public Transportation will:

1. Prepare the plans, specifications and estimates.
2. Administer the construction contract(s) to include all inspections and payments to the contractor(s).

STATE DEPARTMENT OF HIGHWAYS
AND PUBLIC TRANSPORTATION

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Upon acceptance of the provisions of this Order by the City of Abilene, IT IS FURTHER ORDERED that the above referenced limits be and are hereby designated as a part of the State Highway System as a METROPOLITAN HIGHWAY; and this designation shall terminate on the date the State Department of Highways and Public Transportation accepts the project as being complete; and

IT IS FURTHER ORDERED that the Engineer-Director is hereby authorized to proceed in the most feasible and economical manner with project development to include any necessary agreements, right of way acquisition, utility adjustments, relocation assistance and construction at no cost to the State.

This Order shall become operative upon acceptance by the City of Abilene; and if not accepted within 90 days of the date hereof, the action herein contained shall be automatically canceled.

Submitted by

Examined and recommended by:

(Title) Administrative Assistant

Approved

Deputy Director

Engineer-Director

Minute Number 88246

Date Passed JAN 30 89

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