

RESOLUTION #55-1989

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

THE STATE OF TEXAS § Abilene, Texas  
COUNTY OF TAYLOR § September 28, 19 89

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

accept the provisions contained in Minute Order 89172 <sup>DA</sup> passed by the State  
Department of Highways and Public Transportation Commission on August 29,  
19 89, for the improvement by the State Department of Highways and Public  
Transportation of the project described below:

Construct a Farm to Market Road on new location from State Loop 355  
North to Interstate Highway 20, a distance of approximately 1.2 miles,  
to be designated as Farm to Market Road 3438.

VOTE on the motion was as follows: Ayes:

<u>Councilman McCaleb</u>	<u>Councilman Ceniglis</u>
<u>Councilwoman Ray</u>	<u>Councilwoman Herrera</u>
<u>Councilman Wheat</u>	<u>Mayor Ferguson</u>

Nays: None  
WHEREUPON the motion was declared carried.

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 September 28, 19 89.

(Seal)

Jo Moore  
Jo Moore, City Secretary

STATE DEPARTMENT OF HIGHWAYS  
AND PUBLIC TRANSPORTATION

TAYLOR County

MINUTE ORDER

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District No. ABILENE (8)

WHEREAS, in TAYLOR COUNTY in the City of Abilene on new location from State Loop 355 north to Interstate Highway 20, a distance of 1.2 mile, City officials have requested the designation and construction of an extension of Farm to Market Road 3438; and

WHEREAS, this project qualifies for inclusion in the 1990-1991 Texas Farm to Market Road Program;

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 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 all utility adjustments as may be required in accordance with policies of the State Department of Highways and Public Transportation.
3. Maintain that portion of the work which is its responsibility in accordance with maintenance agreements.

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STATE DEPARTMENT OF HIGHWAYS  
AND PUBLIC TRANSPORTATION

TAYLOR County

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District No. ABILENE (8)

The State Department of Highways and Public Transportation will:

1. Designate the above referenced limits a Farm to Market Road.
2. Provide relocation assistance as may be determined to be eligible under the Relocation Assistance Program.
3. Provide funding for construction.

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 a part of the State Highway System as a FARM TO MARKET ROAD; and

Upon acceptance of the provisions of this Order by the City of Abilene, 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 an estimated cost to the State of \$831,300 which will be funded in the 1990-1991 Texas Farm to Market Road Program.

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.

APPROVED:

Claudia Clinton  
CITY ATTORNEY

CITY OF ABILENE, A Municipal Corporation

BY: Dale E. Ferguson  
Dale E. Ferguson, Mayor

Submitted by

Examined and recommended by:

\_\_\_\_\_  
(Title) Administrative Aide

Approved

\_\_\_\_\_  
Deputy Director

\_\_\_\_\_  
Engineer-Director

Minute Number 89172 *OK*

Date Passed AUG 29 89

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