

RESOLUTION #56-1989
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 89234 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:

Reconstruction of Farm to Market Road 1750 in the City of Abilene from
State Highway 36 (South 11th Street) to State Loop 322, a distance of
approximately 1.9 miles, which was approved in the 1988-92 Urban System
Program (Non-Major Urbanized Areas).

VOTE on the motion was as follows: Ayes:

Councilman McCaleb

Councilman Ceniglis

Councilwoman Ray

Councilwoman Herrera

Councilman Wheat

Mayor Ferguson

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

00113

STATE DEPARTMENT OF HIGHWAYS
AND PUBLIC TRANSPORTATION

TAYLOR _____ County

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District No. ABILENE (8)

WHEREAS, in TAYLOR COUNTY in the City of Abilene on FARM TO MARKET ROAD 1750 from State Highway 36 (South 11th Street) to State Loop 322, a distance of approximately 1.9 miles, a construction project was approved in the 1988-92 Urban System Program (Non-Major Urbanized Areas); and

WHEREAS, it has been determined that right of way acquisition is required for this project; and

WHEREAS, Minute Order 87454 dated June 28, 1988 designated this section of Farm to Market Road 1750 a part of the State Highway System as a Principal Arterial Street;

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

Provided City of Abilene will:

1. Provide fifty 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 fifty 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.

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STATE DEPARTMENT OF HIGHWAYS
AND PUBLIC TRANSPORTATION

TAYLOR _____ County

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District No. ABILENE (8)

3. 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. Provide fifty percent of the cost of right of way clear of obstructions 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 fifty 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.
4. Provide for construction.

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00115

STATE DEPARTMENT OF HIGHWAYS
AND PUBLIC TRANSPORTATION

TAYLOR _____ County

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District No. ABILENE (8)

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 \$586,500 (\$574,000 of which was previously authorized for construction), which will be funded in the 1988-92 Urban System Program (Non-Major Urbanized Areas).

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

Submitted by _____

Dale E. Ferguson, Mayor
Examined and recommended by:

(Title) Administrative Assistant

Approved _____

Deputy Director

Minute Number 89234

Date Passed AUG 29 89

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00116