**FM 2499**

*From: Spinks Road*

*To: FM 1171*

PUBLIC HEARING

November 16, 2004

---

**Tonight's Hearing**

- Public Hearing Process
- Project Design and Environmental Presentations
- Right of Way Acquisition Process
- Recess
- Comments

---

**FM 2499 Project Description**

- Widen Existing Facility from 4 lanes to 6 lanes
- Lengthen left-turn bays to allow main-lane traffic to flow freely
- Construct noise walls at two locations
- Upgrade Intersections at:
  - FM 3040
  - FM 1171
- Modify median openings just north and south of FM 3040

---

**TYPICAL SECTIONS**

**FM 2499**

---
**FM 2499 Project Cost**

- **Construction:** $3.5M
- **Design:** $0.5M
- **TOTAL:** $4.0M

**Purpose and Need of Project**

- Population Increases
- Traffic Volume Increases
- Traffic Congestion Increases
- Noise Levels Increase
- Air Quality Decreases
- Mobility Suffers

**Environmental Evaluation**

- Regional And Community Growth
- Economic Impacts
- Land Use
- Public Facilities And Services
- Community Cohesion And Environmental Justice
- Displacements And Relocations
- Parkland And 4(f) Properties
- Jurisdictional Waters And Wetlands
- Water Quality
- Flood Plain
- Threatened/Endangered Species
- Historical And Archeological Sites
- Aesthetic Considerations
- Prime, Unique And Special Farmland Impacts
- Air Quality Assessment
- Noise Assessment
- Hazardous Waste/Substance
- Construction

**Public Hearing Process**

- Public Hearing Process
- Project Design and Environmental Presentations
- Right of Way Acquisition Process
- Recess
- Comments

**Right-of-Way Acquisition Process**

1. TxDOT Obtains:

- Environmental Clearance
- Local Agency Agreements
- Approved Right of Way Map
- Funding
- Release from TxDOT Austin to Begin Acquisition Process
**Right-of-Way Acquisition Process**

2. Agency Orders:
   - Property Title Information
   - Five Year Sales Data
   - Preliminary Title Commitment

   ...Agency then makes pre-appraisal contacts with property owners.

3. Acquiring Agency Assigns Independent Appraisers:
   - Appraisers Contacts Owner
   - Appraisers Submit Appraisals
   - TxDOT Reviews Appraisals for Approval

4. Agency’s Acquisition Agent Presents Offer to Property Owner, Including:
   - Appraised Value of Property
   - Compensable Damages to Remaining Real Property
   - Relocation Assistance

5. Property Owner may then:
   a. Donate Land,
   b. Accept Offer,
   c. Submit Counter Offer, if Appropriate.
   d. Begin Eminent Domain Proceedings, if Agreement on Value is not Reached.

5b. When Owner Accepts:
   - Owner Signs Deed & Memorandum of Agreement
   - Agency Issues Warrant to Owner & Title Company
   - Owner Closes at Title Company and is Compensated for New Right-of-Way

5c. Owner Counter Offers:
   - Owner May Submit Counter Offer if Owner Believes it does not Represent Fair Market Value
   - Agency Reviews Counter Offer and Either Accepts or Rejects It
   - If Rejected, Owner may Accept Original Offer or Proceed to Eminent Domain
**Right-of-Way Acquisition Process**

5d. Eminent Domain:

- Court Appoints 3 Commissioners to Hear Owner & Agency
- Commissioners Decide Award
- Agency Deposits Award in Registry of Court & Takes Possession
- Either Owner or Acquiring Agency Shall Have the Right to Appeal to Jury Trial

---

**Tonight's Hearing...**

- Public Hearing Process
- Project Design and Environmental Presentations
- Right of Way Acquisition Process
- Recess
- Comments

---

**Comments / Input**

*Speak Here Tonight, Submit Written Comments Here Tonight, or-*

Write us: Craig Hancock, P.E., TxDOT, PO Box 133067, Dallas, TX 75313-3067 or Craig Hancock, P.E., TxDOT, 4777 East Hwy 80, Mesquite, TX 75150-6643

Fax us: (214) 320-4470

Written Comments Must Be Postmarked by November 26, 2004