

# FM 2499

From: Spinks Road  
To: FM 1171

## PUBLIC HEARING

November 16, 2004



### FM 2499 Study Area



### Tonight's Hearing...



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



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### FM 2499

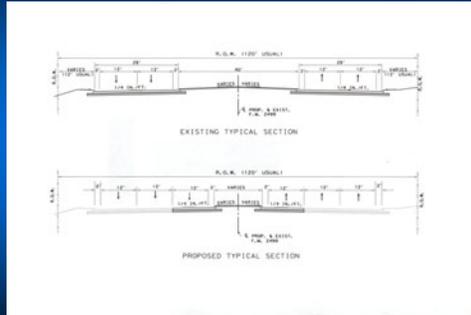
#### Project Description

- 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



### FM 2499

#### TYPICAL SECTIONS



Existing

Proposed



### FM 2499 Project Cost

Construction:	\$3.5M
Design:	\$ 0.5M
<b>TOTAL:</b>	<b>\$4.0M</b>

- ### FM 2499
- Purpose and Need of Project*
- Population Increases
  - Traffic Volume Increases
  - Traffic Congestion Increases
  - Noise Levels Increase
  - Air Quality Decreases
  - Mobility Suffers

- ### FM 2499
- 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 Archaeological Sites
  - Aesthetic Considerations
  - Prime, Unique And Special Farmland Impacts
  - Air Quality Assessment
  - Noise Assessment
  - Hazardous Waste/Substance
  - Construction

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- ### 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.



### **Right-of-Way Acquisition Process**

#### **3. Acquiring Agency Assigns Independent Appraisers:**

- Appraisers Contacts Owner
- Appraisers Submit Appraisals
- TxDOT Reviews Appraisals for Approval



### **Right-of-Way Acquisition Process**

#### **4. Agency's Acquisition Agent Presents Offer to Property Owner, Including:**

- Appraised Value of Property
- Compensable Damages to Remaining Real Property
- Relocation Assistance



### **Right-of-Way Acquisition Process**

#### **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.



### **Right-of-Way Acquisition Process**

#### **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



### **Right-of-Way Acquisition Process**

#### **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



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### **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*

