RESOLUTION NO. 84-46

A RESOLUTION

AUTHORIZING THE GENERAL MANAGER TO EXECUTE A CONTRACT WITH TRAFFIC CONTROL DEVICES, INC. TO PROVIDE AND INSTALL THE KATY FREEWAY TRANSITWAY TRAFFIC CONTROL SYSTEM.

WHEREAS, the Katy Freeway Transitway will include a traffic control system to provide operational control; and

WHEREAS, an invitation to bid for construction of a traffic control system was issued, and a total of five (5) responses were received; and

WHEREAS, Traffic Control Devices, Inc. is the lowest responsive and responsible bidder;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE METROPOLITAN TRANSIT AUTHORITY THAT:

Section 1. The General Manager be and he is hereby authorized to execute a contract with Traffic Control Devices, Inc. for construction of a traffic control system for the Katy Freeway Transitway at a cost not to exceed $1,176,625. The General Manager is further authorized to incorporate an incentive payment provision in an amount not to exceed $50,000 for early completion as provided for in the invitation for bid.

Section 2. This resolution is effective immediately upon passage.

PASSED this 27th day of April, 1984.
APPROVED this 27th day of April, 1984.

ATTEST:

Assistant Secretary

Chairman of the Board
APPROVED AS TO SUBSTANCE:

[Signature]

Alan F. Kiepper
General Manager

APPROVED AS TO FORM:

[Signature]

Dennis C. Gardner
Staff Counsel
A RESOLUTION

DECLARING THE PUBLIC NECESSITY FOR THE ACQUISITION BY THE METRO-POLITAN TRANSIT AUTHORITY OF HARRIS COUNTY, TEXAS, OF 20.6 ACRES OF LAND IN THE HENRY WOODRUFF SURVEY, A-44, HOUSTON, HARRIS COUNTY, TEXAS; DECLARING THAT ACQUISITION OF SAID PROPERTY IS IN THE PUBLIC INTEREST; AND AUTHORIZING THE GENERAL MANAGER TO PROCEED WITH ACQUISITION OF SAID PROPERTY BY EXERCISE OF THE POWER OF EMINENT DOMAIN.

WHEREAS, the Metropolitan Transit Authority of Harris County, Texas (METRO) wishes to construct a bus operating facility in the West/Southwest quadrant of its service area, known as the West Bus Operating Facility; and

WHEREAS, METRO has met with the owners of the subject property in an effort to acquire all of the property necessary for the West Bus Operating Facility by negotiated purchase; and

WHEREAS, the Board, after due notice, held a public hearing on March 20, 1984 on the issue of the acquisition of the subject property necessary for construction of the West Bus Operating Facility; and

WHEREAS, the Board has considered the testimony and evidence presented at the public hearing and is of the opinion that the public necessity for the acquisition of the subject property has been established; and

WHEREAS, the Board further is of the opinion that the acquisition of the subject property should proceed expeditiously; and

WHEREAS, METRO, through its duly authorized representatives, may be unable to reach an acceptable agreement with the owners of the subject property as to the fair cash market value thereof, and damages, if any;
NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE METROPOLITAN TRANSIT AUTHORITY THAT:

Section 1. The Board of Directors hereby declares the public necessity for the acquisition by METRO of the following described property and that such acquisition is necessary and proper for construction, extension, improvement or development of the METRO system, in particular the construction of the West Bus Operating Facility, and is in the public interest and that such property is desired for public use:
RESOLUTION NO. 84-47 (Page 3)

TRACT: 20.5634 ACRES
(895.741.70 SQUARE FEET)

HENRY WOODRUFF SURVEY (A-44)

A TRACT OF LAND SITUATED IN THE STATE OF TEXAS, COUNTY OF HARRIS, CONTAINING 20.5634 ACRES OF LAND (895,741.70 SQUARE FEET), NOW OR FORMERLY OWNED BY WESTCHASE TWO, A TEXAS LIMITED PARTNERSHIP, OF WHICH GENERAL PARTNERS ARE TWA, INC. AND TENNCHASE, INC., BOTH TEXAS CORPORATIONS, AND BEING PART OF BLOCK 1, UNRESTRICTED RESERVE "A", WESTCHASE SUBDIVISION, SECTION 17, AS RECORDED IN VOLUME 294, PAGE 3, OF THE MAP RECORDS OF HARRIS COUNTY, TEXAS (CALLED 20.6 ACRES), AND BEING WITHIN THE HENRY WOODRUFF SURVEY, A-44; THE LAND HEREIN BEING DESCRIBED BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FALLS. ALL CONTROL IS REFERRED TO THE TEXAS PLANE COORDINATE SYSTEM, LAMBERT PROJECTION, SOUTH CENTRAL ZONE.

BEGINNING AT A POINT FOR CORNER, BEING THE NORTHWEST CORNER OF THE TRACT HEREIN BEING DESCRIBED, MARKED BY A 5/8" IRON ROD SET IN CONCRETE, HAVING A TEXAS PLANE COORDINATE VALUE OF X=3,084,728.76; Y=704,821.09, SAID POINT OF BEGINNING BEING ALSO AT ITS INTERSECTION WITH THE SOUTHERLY RIGHT-OF-WAY BOUNDARY OF RICHMOND AVENUE, HAVING A RIGHT-OF-WAY WIDTH OF 100 FEET, AND BEING ALSO AT ITS INTERSECTION WITH THE WEST BOUNDARY OF SAID WESTCHASE SUBDIVISION, SECTION 17.

THENCE ALONG THE NORTHERLY BOUNDARY OF THE TRACT HEREIN BEING DESCRIBED, BEING COMMON WITH THE SOUTHERLY RIGHT-OF-WAY BOUNDARY OF THE ABOVEMENTIONED RICHMOND AVENUE, AS FALLS:

ALONG A CURVE TO THE LEFT, HAVING A CENTRAL ANGLE OF 31° 10' 21" (LEFT), BASED ON A RADIUS OF 2,050.00 FEET, HAVING AN ARC LENGTH OF 1,115.33 FEET, AND HAVING A CHORD CALL OF S77° 05' 31"E, 1,101.62 FEET TO A POINT OF TANGENCY (P. T.) MARKED BY A 5/8" IRON ROD SET IN CONCRETE.

AND N87° 19' 19"E, 381.36 FEET TO A POINT FOR CORNER, BEING THE NORTHEAST CORNER OF THE TRACT HEREIN BEING DESCRIBED, MARKED BY A 5/8" IRON ROD SET IN CONCRETE, AND BEING ALSO AT ITS INTERSECTION WITH THE WESTERLY RIGHT-OF-WAY BOUNDARY OF BREEZEWOOD DRIVE, HAVING A RIGHT-OF-WAY WIDTH OF 60 FEET.

THENCE ALONG THE EASTERLY BOUNDARY OF THIS TRACT, COMMON WITH THE WESTERLY BOUNDARY OF THE ABOVEMENTIONED BREEZEWOOD DRIVE, AS FALLS:

RAS:hrf
11/2/83
TRACT: 20.5634 ACRES  
(895,741.70 SQUARE FEET)  

HARRIS COUNTY, TEXAS  

S47° 40' 41"E, 14.14 FEET TO A POINT FOR CORNER  
MARKED BY A 5/8" IRON ROD SET IN CONCRETE  

AND  
S02° 40' 41"E, 536.15 FEET TO A POINT FOR CORNER,  
BEING THE SOUTHEAST CORNER OF THE TRACT HEREIN  
BEING DESCRIBED MARKED BY A 5/8" IRON ROD SET IN  
CONCRETE.  

THENCE S87° 19' 19"W, 1,455.00 FEET ALONG THE SOUTHERLY BOUNDARY  
OF THIS TRACT TO A POINT FOR CORNER MARKED BY A 3/4" IRON PIPE (FOUND)  
in concrete, AND BEING THE SOUTHWEST CORNER OF THIS TRACT.  

THENCE N02° 30' 21"W, 842.14 FEET ALONG THE WEST BOUNDARY OF  
THIS TRACT TO THE POINT OF BEGINNING CONTAINING 20.5634 ACRES OF LAND  
(895,741.70 SQUARE FEET).
Section 2. The Board of Directors hereby declares that in the event that negotiations by authorized representatives of METRO to acquire the subject property are not successful and have failed, then the only way for METRO to acquire such property is through the filing of eminent domain proceedings so as to acquire such property for the following public purpose, to-wit: the construction of the West Bus Operating Facility.

Section 3. The General Manager is authorized to initiate and pursue eminent domain proceedings on behalf of METRO under any applicable provisions of law for the acquisition of the subject property if negotiations for the purchase of such property are unsuccessful.

Section 4. This resolution is effective immediately upon passage.

PASSED this 27th day of April, 1984.

APPROVED this 27th day of April, 1984.

ATTEST:

[Signature]
Assistant Secretary

APPROVED AS TO SUBSTANCE:

[Signature]
Alan F. Kiepper
General Manager

APPROVED AS TO FORM:

[Signature]
Dennis C. Gardner
Staff Counsel

John L. King
Chairman of the Board