

## **RESOLUTION NO. R-2019-0160**

**WHEREAS**, the City of Round Rock (“City”) is in the process of designing the extension of Arterial A (hereinafter referred to as the “Extension”) from Forest Creek Boulevard to SH 45; and

**WHEREAS**, approximately 1.55 acres of the Extension will encroach within state property commonly known as the MKT Right-of-Way; and

**WHEREAS**, Minute Order 83157, dated May 22, 1985, tendered a proposal to Austin, Pflugerville, Round Rock, Georgetown, and Travis and Williamson Counties for the construction of a facility then known as the MoKan Transportation Corridor; and

**WHEREAS**, on or around May 22, 1989, Austin, Georgetown, Round Rock, Pflugerville, Travis County, Williamson County and Capitol Metro entered into an Interlocal Agreement (the “May 22, 1989 ILA”) with the Texas Department of Transportation (“TxDOT”) wherein the parties agreed to share in the costs to acquire the abandoned MKT Right-of-Way; and

**WHEREAS**, the above-mentioned entities were successful in acquiring significant portions of the abandoned MKT Right-of-Way; and

**WHEREAS**, on April 25, 2002, TxDOT passed Minute Order 108874 which acknowledged that the facility described in Minute Order 83157, with a revised scope after subsequent planning and studies, would henceforth be called SH 130; and

**WHEREAS**, SH 130 was designated as a tolled, controlled access facility, with a project scope and alignment changed significantly from that described in Minute Order 83157; and

**WHEREAS**, due to these significant changes, it was deemed necessary to revise right-of-way acquisition and utility adjustment participation requirements as stated in Minute Order 83157 and the May 22, 1989 ILA; and

**WHEREAS**, TxDOT, in Minute Order 108874, ordered that the right-of-way acquisition and utility adjustment participation requirements in Minute Order 83157 be rescinded; and

**WHEREAS**, all other provisions in Minute Order 83157 remain in effect, Now Therefore

**BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ROUND ROCK, TEXAS, THAT:**

1. The facts and recitations in the preamble of this Resolution are hereby found and declared to be true and correct and are incorporated herein and expressly made a part hereof.
2. The City finds that it is in the best interest of the citizens of Round Rock to request TxDOT to allow the City to utilize those sections of the MKT right-of-way as shown on Exhibit “A”, attached hereto, to facilitate the extension of Arterial A from its current terminus to SH 45.
3. The terms and conditions of the above-described utilization of certain sections of the MKT right-of-way shall be as stated in a Memorandum of Understanding (“MOU”) between the city and TxDOT. The MOU will contain provisions stating that the MKT right-of-way is subject to future modification and that the City shall be solely responsible for removing or re-aligning any City-installed improvements within the encroachments allowed by this Agreement to accommodate the future MoKan transportation corridor facility.

The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject

matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

**RESOLVED** this the 25th day of April, 2019.

---

CRAIG MORGAN, Mayor  
City of Round Rock, Texas

ATTEST:

---

SARA L. WHITE, City Clerk