

RESOLUTION NO. 13-07

A RESOLUTION SUPPORTING THE DEVELOPMENT OF A PRIVATE TOLL ROAD EXTENDING FROM LAVON, TEXAS TO GREENVILLE, TEXAS; GRANTING AUTHORITY TO THE MAYOR TO EXECUTE SAID RESOLUTION AND AUTHORIZING CITY SECRETARY TO AUTHENTICATE MAYOR'S SIGNATURE TO SAID RESOLUTION, AND AUTHORIZING CITY MANAGER TO EXECUTE ALL INSTRUMENTS REQUISITE IN IMPLEMENTING SAID RESOLUTION, AND AUTHORIZING CITY SECRETARY TO AUTHENTICATE CITY MANAGER'S SIGNATURE TO THIS RESOLUTION.

A regular meeting of the City Council of the City of Commerce, Texas, was held in Commerce, Texas, at City Hall, on the 15th day of January 2013 at 6:00 p.m.; a majority of Council Member's being present and constituting a quorum, the following Resolution was adopted:

WHEREAS, the Northeast Texas Rural Rail Transportation District ("NETEX") owns and controls eighty-eight miles of former Cotton Belt rail right-of-way between Wylie and Mount Pleasant, Texas; and

WHEREAS, the only major limited access roadway entering the Dallas-Fort Worth Metroplex from the northeast is IH-30 which is highly congested and in need of costly improvements; and

WHEREAS, the NETEX rail corridor between S.H. 78 inn Lavon and Simtrott near Greenville is generally one-hundred feet in width with the rails removed and salvaged prior to the acquisition by NETEX; and

WHEREAS, NETEX is negotiating a ground lease for their right-of-way from Lavon to Greenville to Cotton Belt Turnpike, LP for purposes of building a privately owned toll road; and

WHEREAS, the NETEX Board will receive an annual ground lease payment based upon gross toll revenues which will provide a new source of income which could be used to further develop and/or improve rail in the corridor; and

WHEREAS, improvements to the rail corridor, including a new high-speed, limited-access roadway will provide needed access and economic development opportunities to eastern Collin County, western Hunt County and points beyond.

NOW, THEREFORE, BE IT HEREBY RESOLVED THAT the City of Commerce supports the construction of the privately owned toll road on the ground leased NETEX right-of-way and urges the Regional Transportation Council to include the roadway on the Metropolitan Transportation Plan.

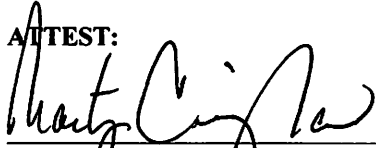
NOW, THEREFORE, BE IT RESOLVED that the Mayor of the City of Commerce, Texas, be authorized and he is hereby authorized to execute this Resolution;

BE IT FURTHER RESOLVED that the City Secretary be authorized and she is hereby authorized to attest to the signature of the Mayor to this Resolution;

BE IT FURTHER RESOLVED that the City Secretary be authorized and she is hereby authorized to attest to the signature of the City Manager to any and all instruments requisite to implementing this Resolution.

PASSED BY THE GOVERNING BODY of the City of Commerce, Texas, at a regular meeting of the City Council of the City of Commerce, Texas, on the 15th day of January 2013.

ATTEST:

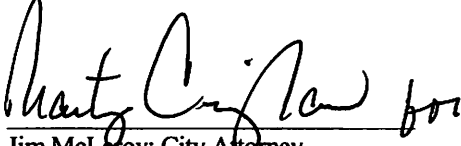

Marty Cunningham, City Secretary

CITY OF COMMERCE:


John Balloti, Mayor

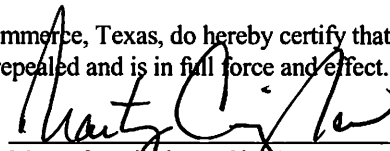
(Seal)

APPROVED AS TO FORM:

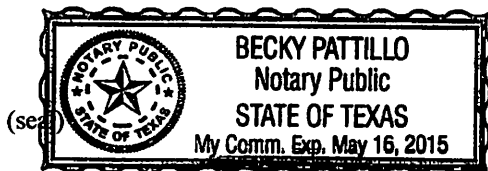

Jim McLeroy, City Attorney

I, Marty Cunningham, City Secretary of the City of Commerce, Texas, do hereby certify that the above is a true and correct copy of a resolution and that the same has not been repealed and is in full force and effect.

(Seal)


Marty Cunningham, City Secretary

Sworn to and subscribed before me, on this the 16th day of January, 2013 to certify which witness my hand and seal of office.




Notary Public, State of Texas