



# **TxDOT Montana ROW Acquisition – Possession & Use Agreement**

*August 26, 2024*

# Background

- Montana Ave., known also as US 62/180, is being widened by TxDOT into a limited access freeway.
- The purpose of the proposed project is to improve Montana Avenue from 0.5 mile West of Global Reach to 0.5 mile East of FM 659 (Zaragoza Road).
- The El Paso County Jail Annex is situated along the project path. TxDOT is required to obtain ROW from the County to accommodate the project footprint.
- The area to be acquired measures 138,466 square feet (3.18 acres)

# Project Location



Figure 1: Existing Property



Figure 1: Aerial of Project area located between State Jail Rd and Gran Plaza Shopping Center

# Acquisition Parcel Specifics

- No Jail Annex buildings will require demolition or adjustments; none are in the area to be acquired.
- The only structural components are power poles for an overhead power lines paralleling the ROW
- There is a large sign that would need to be relocated back to within the new annex property area.
- There are three detentions ponds that are partially within the area, along with their associate drainage system.
- There are various public utilities throughout. None are exclusive to the annex
- The area contains an access road that serves as a buffer between Montana Avenue and the Annex parking lots. This median is undeveloped except for several pockets of plant landscaping.
- Multiple driveways connect the access road to the parking lots.
- There are landscaping areas (plants, rocks and gravel) within medians surrounding the existing parking lots.
- Two of the existing parking lots extend into the area and will need to be reconfigured.

# *Acquisition Timelines*

- Purchase offer received January 3, 2024
- County meeting with Sheriff's Office and Facilities Department, January 10, 2024
- County on-call engineer cost-to-cure proposal, March 19, 2024
- Revised Purchase offer received June 5, 2024
- Possession & Use offer received July 15, 2024
- Pre-final cost-to-cure report received July 19, 2024
- Final cost-to-cure report August 14, 2024
  
- P&D/Public Works are finalizing a final selling price and sale agreement and will be presenting that to the Court soon.

# Possession & Use Agreement

- This agreement allows TxDOT to maintain forward momentum with the overall project
- TxDOT will obtain legal possession and use of the property; the County will retain ownership
- Allows the County and TxDOT to continue to negotiate compensation of the land and replacement costs of affected improvements
- This agreement does not prejudice subsequent negotiations or preclude County functional use at the present time
- TxDOT will pay the County \$25,000 for immediate possession and use.
- Specific coordination with the SO and Public Works will occur closer to physical improvements commencing
- TxDOT has not indicated a date for actual construction at this time