

FM 1484 PUBLIC HEARING SUMMARY

**FM 1484 PROPOSED IMPROVEMENTS
BETWEEN LOOP 336 AND FM 2432
MONTGOMERY COUNTY, TEXAS**



CERTIFICATION

Montgomery County
FM 1484 Improvements: Between Loop 336 and FM 2432
CSJ: 1417-01-026

This is to certify that:

1. A Public Hearing was held at The Lonestar Convention & Expo Center located at 9055 FM 1484, Conroe, Texas, on October 18, 2007, at 6:00 p.m.
2. The economic and social effects of the project's location and design and its impacts on the environment have been considered.
3. In determining economic, social and environmental effects, the statutory provisions of the Civil Rights Act of 1964 have been considered.
4. The project's consistency with the goals and objectives of such urban planning as promulgated by the community has been considered.

Date

Gabriel Y. Johnson, P.E.
Director of Transportation
Planning and Development
Houston District

PUBLIC HEARING SUMMARY

For: FM 1484 Proposed Improvements

Project Limits: FM 1484: Between Loop 336 and FM 2432
Montgomery County, Texas

CSJ: 1417-01-026

Montgomery County, in conjunction with, the Texas Department of Transportation (TxDOT), conducted a public hearing to discuss proposed improvements to FM 1484 between Loop 336 and FM 2432 in Montgomery County, Texas. The hearing was held on Thursday, October 18, 2007, from 6:00 PM to 7:20 PM at the Lonestar Convention & Expo Center, 9055 FM 1484 in Conroe, Texas. Viewing of exhibits and displays was from 6:00 to 7:00 PM. The presentation began at 7:00 PM. The purpose of the hearing was to present the proposed design and results of the environmental studies for improvements to FM 1484 between Loop 336 and FM 2432. During this hearing, attendees were informed that the project would require additional right-of-way and that there would be displacements and relocations.

July 25, 2007 Meeting with D.O. Van Buren

The public hearing was also conducted as a result of a written request to hold a public hearing, which was submitted July 16, 2007 by adjacent property owner, Mr. D. O. Van Buren. Mr. Van Buren was responding to a "Notice Affording Opportunity for Public Hearing", published June 23 and July 18, 2007. An attempt was made to resolve Mr. Van Buren's issues, prior to holding a public hearing, by meeting with Mr. and Mrs. Van Buren on July 25, 2007 at the Montgomery County Transportation Program Office at 502 N. San Jacinto, Conroe, Texas.

A total of 258 "Notice Affording Opportunity for Public Hearing" (NAOPH) notices were mailed to persons listed on the mailing list (to include adjacent property owners, elected officials, and interested parties). Newspaper ads for the NAOPH were published in: *The Houston Chronicle* – legal notices in classified section on June 23 and July 18, 2007; *Conroe Courier* - legal classified sections of both on June 23 and July 18, 2007; and *The Houston Chronicle's North Montgomery County Newspaper* – legal classified sections of both on June 23 and July 18, 2007.

The following personnel were in attendance to meet with Mr. and Mrs. Van Buren as follow:

- Commissioner Mike Meador, Montgomery County, Precinct 1
- Mark Bosma, Montgomery County
- Sue Theiss, Texas Department of Transportation – Houston District
- Joe Liggio, Texas Department of Transportation – Houston District
- Sandra Williams, Montgomery County Transportation Program/Carter & Burgess, Inc.
- Jeff Anderson, Carter & Burgess, Inc.
- Tony Yrigoyen, Montgomery County Transportation Program/Pate Engineers, Inc.

The July 25, 2007 meeting with Mr. and Mrs. Van Buren discussed the following:

- Montgomery County is proposing to improve an approximate 3.6-mile segment of [Farm-to-Market] (FM) Road 1484 between Loop 336 and FM 2432 in Montgomery County, Texas, which will be referred to as Project A.
- In 2003, Montgomery County Commissioner's Court accepted and approved the Montgomery County Lone Star Airport Master Plan Update, which includes the extension of Runway 14-32 from 6000 feet to 7,500-feet thereby bisecting existing FM 1484 just south of the Crystal Creek Bridge crossing at existing FM 1484, which will be referred to as Project B.
- Project A and Project B are two separate and independent projects.
- The proposed improvements to FM 1484 would require the realignment of existing FM 1484 (Project A) to avoid encroachment into the protection zone of the planned runway extension at the Lone Star Executive Airport (Project B).
- For Project B, the preliminary engineering for the extension of the runway has not begun and construction has not been scheduled at this time; however construction is estimated to begin within the next two to three years (2009 – 2010).
- The Van Buren's property is located just north of the airport on FM 1484 and just south of the existing Crystal Creek Bridge at FM 1484.
- Property owners located north of the airport would not have access to existing FM 1484 due to the proposed runway extension for Project B.
- The proposed extension of the runway would ultimately require property owners residing north of the airport to detour approximately 1 mile to travel to destinations located south of the airport, such as ambulance service, hospital, shopping, church, as well as visiting family and friends.
- The Van Burens are also concerned about possible evacuation routes from their property due to flooding events. They believed that as a result of the proposed runway extension, they would have no way out and would be trapped and at the mercy of the rising water.
- Commissioner Meador and Mark Bosma agreed to look into possible evacuation scenarios for residents located north of the airport.
- During the meeting, the Van Burens indicated that they would sign the waiver stipulating that their concerns regarding Project A had been satisfactorily resolved and would withdraw their request for a Public Hearing to be held covering the social, economic, and environmental effects of Project A but wanted to take the waiver home first to review it more carefully. The Van Burens were contacted, by telephone, a week later and verbally specified that they would not signed the wavier and wanted to proceed with a public hearing.

October 18, 2007 Public Hearing

A total of 258 Public Hearing notices were mailed to persons listed on the mailing list (to include adjacent property owners, elected officials, and interested parties). Newspaper ads for the hearing were published in: *The Houston Chronicle* – legal notices in classified section on September 18 and October 8, 2007; *Conroe Courier* - legal classified sections of both on September 19 and October 9, 2007; and *The*

Houston Chronicle's North Montgomery County Newspaper – legal classified sections of both on September 18 and October 8, 2007.

One registration table was set up at the entrance of the auditorium with sign-in sheets for attendees and elected officials. The registration attendance totaled 15. The registration attendance for elected officials was one. Handouts made available to the attendees included a written comment form, speaker registration cards, and a public hearing program. The public hearing program provided a brief description of the purpose for the Public Hearing, a brief description of the project, and the TxDOT website address (HOU-PIOWebMail@DOT.STATE.TX.US) for all comments submitted electronically (The website address was also included in the video presentation). The public hearing program and comment forms were provided to the public in English only. TxDOT Right of Way personnel also made available to attendees copies of the following booklets (in English only): *Purchase of Right of Way by Counties and Cities*; and *Relocation Assistance*.

Exhibits displayed at the public hearing included two sets of design layouts illustrating the preferred alternative for the proposed improvements of the project study area. Exhibits displayed on laminated boards included two sets (each) of the typical cross sections. Viewing of all project exhibits and informal discussion sessions were held between 6:00 p.m. and 7:00 p.m. to give all attendees an opportunity to view all exhibits and documents on display and to discuss and ask questions regarding the proposed project with project team members present. TxDOT received no request for a language interpreter.

The presiding Official for the Hearing was Mr. Gabe Johnson, Director of Transportation, Planning and Development with TxDOT. Mr. Johnson convened the hearing, made introductions and discussed the history of the project. Ms. Sandra Williams, Project Manager with Carter & Burgess, Inc. gave the project presentation and discussed the environmental studies performed. She presented the purpose of the Hearing, the comments received on the public meeting held on January 29, 2004, findings of the preliminary engineering studies, project advancement, and a review of the draft Environmental Assessment and impacts. The hearing then continued for the public comment session. The presentation concluded with a reminder to sign in at the registration table and identification of the exhibits and documents on display and their locations.

Only one person registered to speak and made a verbal comment. No written comments were submitted at the public hearing, via mail or email.

REPORTED BY: Sandra J. Williams

November 4, 2007

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Attachments:

Written Comment/Response Report
Mailing List
Meeting Announcements
Advertisements/Newspaper Adds
Public Hearing Handouts

Video Presentation Outline
Exhibits
Sign-in Sheets
Photographs
Transcript

Copy to: Joe Liggio, TxDOT
Jennie Taraborelli, Pate Transportation Partners
C&B File (031917.001)

**WRITTEN COMMENTS/RESPONSES
REPORT**

PUBLIC HEARING RESPONSE REPORT

Project: FM 1484 Improvements
Between Loop 336 and FM 2432
Montgomery County
CSJ: 1417-01-026

This report presents the substantive verbal and written comments and questions which were received by the Texas Department of Transportation (TxDOT) at the Public Hearing or in writing by November 1, 2007 (ten working days following the Public Hearing).

TxDOT conducted the Public Hearing on October 18, 2007, at The Lonestar Convention and Expo Center, located at 9055 FM 1484, in Conroe, Texas.

Comment 1:

Commentor: Stephen E. Van Buren
Address: 2002 Timberland Place #550
The Woodlands, Texas 77523

My name is Steve Van Buren. I am here on behalf of Dudley and Emma Van Buren, residents. In fact, if you look at this picture, this picture was taken from their driveway. That will give you a little bit of perspective. And my comments are really addressed in two parts. One to the Texas Department of Transportation, and I would like to say thank you for the opportunity to have this discussion.

I would also like to address some comments...Part of these comments will also be appropriate, I think, for the commissioner, if I may also, so I'll take that time.

There is a safety issue, public safety issue, which I would appreciate if the Texas Department of Transportation would consider as they do this project. If you look at where the approximate cutoff point is on the south portion of 1484, there is an area that's going to be about six to eight-tenths of a mile long, where some residents are presently on there that are also affected by the creek, this Crystal Creek that's right here by the bridge. In fact, my parents are directly affected by it.

They're not opposed to the airport by any means. In fact, they moved to be close to the airport. My dad has been a pilot most of his life. But this creek has flooded twice in the last 15 years, making it impossible to go north across that bridge. In fact the only access out was southward.

I would like Texas Department of Transportation to consider that aspect of safety as they look at this road and the development of this or the rerouting of it,, and potentially even looking at how access can be granted the opposite direction on that creek so that the people there are not trapped if in fact something does occur again or flooding does occur.

Same issue you have with possibly access for fire department and ambulance or emergency vehicles, to try to maybe provide some form of an access point, rather than having to go on down further to where the road first starts. Since it will not be a limited access road, there should not be an issue with that.

Lastly, I would to the commissioner, again address an issue that while the Texas Department of Transportation says that there is no residential displacements, there are going to be some residential disadvantages and some diminution of property values related to the people that no longer have ready access to the main highway, to transportation issues, to access, egress and ingress from their property to all the conveniences that we normally achieve. So I would like to ask the commissioner to maybe bring this up to the county commission with respect to this. Thank you. That's all.

Response 1:

Commissioner Meador and Mark Bosma of Montgomery County have agreed to look into possible evacuation scenarios for residents located north of the airport during possible future flood events. In addition, a copy of this public hearing summary will be provided to the Lone Star Executive Airport for further consideration into their studies for the planned runway extension.

In 2003, Montgomery County Commissioner's Court accepted and approved the Montgomery County Lone Star Airport Master Plan Update, which includes the extension of Runway 14-32 from 6000 feet to 7,500-feet thereby bisecting existing FM 1484 just south of the Crystal Creek Bridge crossing at existing FM 1484. The study for the planned runway extension at the Lone Star Executive Airport is a separate and independent project from that of the FM 1484 Improvements. The Lone Star Executive Airport has not started the preliminary engineering for the extension of the runway and construction has not been scheduled at this time; however construction is estimated be begin within the next two to three years (2009 – 2010). The existing FM 1484 is expected to remain opened until construction of the runway began. The proposed extension of the runway would ultimately require property owners residing north of the airport to detour approximately one mile to travel to destinations located south of the airport, such as, hospital, shopping, church, as well as visiting family and friends. Ambulance and police services will still be able to access these areas during emergency situations without compromising health and welfare of residents living in this area.

The FM 1484 improvement project is needed to meet new design standards, to accommodate future traffic needs, which are anticipated to increase by 21% in 2010 and 61% in 2027, and to improve area-wide mobility, capacity, operation and accessibility. The proposed improvements to FM 1484 would also be needed to avoid encroachment into the protection zone of the planned runway extension at the Lone Star Executive Airport.

July 16, 2007

Montgomery County
Transportation Program Office,
520 N. San Jacinto
Conroe, Texas 77301

Dear Members of the Transportation Program Office:

My home and property is located adjacent to the Montgomery County Airport going north on 1484. I now understand that they are going to extend the runway and dead-end FM 1484 at our property. This will require persons transiting FN 1484 towards town to detour several miles around to get to the airport or to town. It will also put my wife and me in a very serious situation. We are now not far from the fire department on Loop 336. When the road is cut off we will not only be far from the fire department, we will also be put in a situation where it will be much farther for ambulance service, hospital, shopping; as well as adding extra miles of travel to visit family, friends, and to attend church. Also, in the event on another flood like the one we had in 1992, we would have no way out and thus be both trapped and at the mercy of the rising water. We are not opposed to the airport as I have been a pilot for many years and originally located adjacent to the airport for convenient access. However, the present runway plan will create serious transportation problems for Montgomery County residents and others for only a very limited benefit to the County. There needs to be a different plan that provides a better balance of the needs of the airport and the Montgomery County residents.

I need to schedule a public hearing as suggested in the notice I received. Please give me notice of the hearing date, time, and location. Thank you.

Sincerely,



D. O. Van Buren



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PUBLIC MAILING LIST

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Roberto L & Martha N Ybarra
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Conroe, TX 77301-4537

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Greensboro, NC 27409-9016

Berryman Investments, Inc.
28731 IH 10 W
Boerne, TX 78006-9112

BGM Land Investments Ltd
15915 Katy Fwy, #405
Houston, TX 77094-1710

Bowersox Second Family, Ltd PTP
12618 Pelican Blvd
Willis, TX 77318-5202

Bryan Excavation
15054 FM 1484 Rd
Conroe, TX 77303-4154

CBL Investments, Inc.
PO Box 2255
Conroe, TX 77305-2255

Chimenti Family Partnership
4531 Cedar Ridge Trail
Houston, TX 77059-3119

Christ the King Church
10055 FM 1484 Rd
Conroe, TX 77303-4313

Conroe Business Furniture
Liquidators, Inc.
2305 FM 1484 Rd
Conroe, TX 77303-5303

CPJM Management LP
PO Box 672
Conroe, TX 77305-0672

Deborah Kirkham & David
Young
12660 FM 1484 Rd
Conroe, TX 77303-3500

Deep South Coating
10023 FM 1484 Rd
Conroe, TX 77303-4313

English Congregation of Jehovah's
Witnesses/Conroe
PO Box 2163
Conroe, TX 77305-2163

Excel Aviation Services
363 Cumberland Trl
Conroe, TX 77302-2903

Frances Farrell Davant
& Charles Farrell Jr.
PO Box 428
Chappell Hill, TX 77426-0428

Frazier Living Trust
PO Box 1712
Conroe, TX 77305-1712

Frontier Air Partners, LLC
115 Bent Tree Lane
Montgomery, TX 77356-8230

General Aviation Services
PO Box 608
Conroe, TX 77305-0608

Groceville Bapt Church
FM 1484 Highway 105E
Conroe, TX 77306

Hands of Grace
2305 FM 1484 Rd
Conroe, TX 77303-5303

Hughes Family Living Trust
12603 FM 1484 Rd
Conroe, TX 77303-3501

Jigsaw Land & Timber Partnership
35602 Vernon Frost Rd.
Brookshire, TX 77423-9820

Jim Signor - Trustee
PO Box 2602
Conroe, TX 77305-2602

John W. & Rosa L. Frazier Living Tr
PO Box 1712
Conroe, TX 77305-1712

Lakeshore Builders Inc.
14500 Highway 105 W
Conroe, TX 77304-4760

Lawrence International Inc.
PO Box 530
New Waverly, TX 77358-0530

Limestone Capital, Inc
3833 Inwood Dr
Houston, TX 77019-3003

Majestic Forest Co Ltd
2021 Sycamore Ave
Huntsville, TX 77340-6111

Midway Capital LP
10575 Parkside Dr
Willis, TX 77318-5685

Montgomery County
400 N San Jacinto
Conroe, TX 77301-2823

MULTIPLE OWNERS
PO Box 428
Chappell Hill, TX 77426-0428

Northridge Baptist Church
10681 FM 1484 Rd
Conroe, TX 77303-4325

Olympian Pavillion
10673 FM 1484 Rd
Conroe, TX 77303-4325

Pit Stop Food Mart #2
PO Box 839
Conroe, TX 77305-0839

Prince Shahzad Inc
15488 FM 1484 Rd
Conroe, TX 77303-4118

RDM Services
10310 Dorbandt Road
Conroe, TX 77303-7201

Reddico Construction Company
10083 FM 1484
Conroe, TX 77303-4313

Roman Forest I, Inc.
PO Box 8097
Conroe, TX 77302-0097

Salty's
10420 FM 1484 Rd
Conroe, TX 77303-3802

San Jacinto Girl Scouts
3110 Southwest Freeway
Houston, TX 77098-4508

Southern Oaks Water System, Inc.
40202 Pryor Rd
Magnolia, TX 77354-1313

Starrock, LP
2912 W Davis, #120
Conroe, TX 77304-2042

STEC Enterprises
25408 Highway 59
Porter, TX 77365-4894

Sterling Ridge Partners, Ltd.
206-A South Loop 336, #211
Conroe, TX 77304

T&S Machine Co
FM 1484 Rd
Conroe, TX 77306

Top Flight Services, Inc.
PO Box 522
Willis, TX 77303

US Army Reserve
Aviation Support Facility
4724 S Parkway
Conroe, TX 77303-4355

Wholesale Auto Sales
9053 Lantern Creek Ct, #100
Conroe, TX 77303-2167

Wing Aviation, LLC
1001 General Thomas Kelly Blvd.
Conroe, TX 77303-4454

11120 FM 1484 Rd
Conroe, TX 77303-3510

71 Wilmington Rd
Montgomery, TX 77356-8414

PO Box 580426
Houston, TX 77258-0426

ELECTED OFFICIALS MAILING LIST

The Honorable Kay Bailey
Hutchison
United States Senate
284 Russell Senate Office Building
Washington, DC 20510-5922

The Honorable Kay Bailey
Hutchison
United States Senate
1919 Smith St., #800
Houston, TX 77002

The Honorable John Cornyn
United States Senate
517 Hart Senate Office Building
Washington, DC 20510

The Honorable John Cornyn
United States Senate
5300 Memorial Dr, #980
Houston, TX 77007

The Honorable Kevin Brady
United States House of
Representatives
428 Cannon House Office Building
Washington, DC 20515

The Honorable Kevin Brady
United States House of Representatives
200 River Pointe Dr., #304
Conroe, TX 77304

The Honorable Kevin Brady
United States House of
Representatives
616 FM 1960 West, #220
Houston, TX 77090

The Honorable Todd Staples
Texas State Senate
PO Box 12068, Capitol Station
Austin, TX 78711

The Honorable Todd Staples
Texas State Senate
504 E. Hodges St.
Palestine, TX 75801

The Honorable Ruben W. Hope
Texas House of Representatives
PO Box 2910
Austin, TX 78768

The Honorable Ruben W. Hope
Texas House of Representatives
2040 Loop 336 W, #116
Conroe, TX 77304

Ms. Barbara Cargill
Texas State Board of Education
61 Wedgemere Circle
The Woodlands, TX 77381

MEETING ANNOUNCEMENTS

NOTICE AFFORDING OPPORTUNITY FOR PUBLIC HEARING

Montgomery County, in conjunction with the Texas Department of Transportation (TxDOT), plans to improve an approximate 3.6-mile segment of Farm-to-Market Road 1484 between Loop 336 and FM 2432 in Montgomery County, Texas. The roadway would be widened from a two-lane facility to a four-lane facility in an expanded right-of-way sufficient to support a continuous left turn lane. Implementation of the proposed project would provide additional roadway capacity to facilitate traffic movement in the area. The project will require additional right-of-way. There will be displacements and relocations. TxDOT's acquisition and relocation assistance program would provide assistance to businesses that are required to relocate.

Maps and other drawings showing the proposed location and design, environmental studies, and information regarding tentative schedules for right of way acquisition and construction of this project are available for inspection and copying at the Montgomery County Transportation Program Office, 520 N. San Jacinto in Conroe and at TxDOT's Houston District Office located at 7721 Washington Avenue in Houston. Anyone may request that a public hearing be held covering the social, economic and environmental effects of the proposed location and design of this project by delivering or mailing a written request to the Montgomery County Transportation Program Office, 520 N. San Jacinto, Conroe, Texas 77301 on or before July 23, 2007. In the event that a public hearing is requested, one will be scheduled and notices will be published about the hearing date and location.

NOTICE OF PUBLIC HEARING FM 1484 BETWEEN LOOP 336 AND FM 2432

Montgomery County, in conjunction with, the Texas Department of Transportation (TxDOT), will hold a public hearing to discuss proposed improvements to FM 1484 between Loop 336 and FM 2432 in Montgomery County, Texas:

Thursday, October 18, 2007

6:00 PM to 8:00 PM

The Lonestar Convention & Expo Center

9055 FM 1484, Conroe, Texas

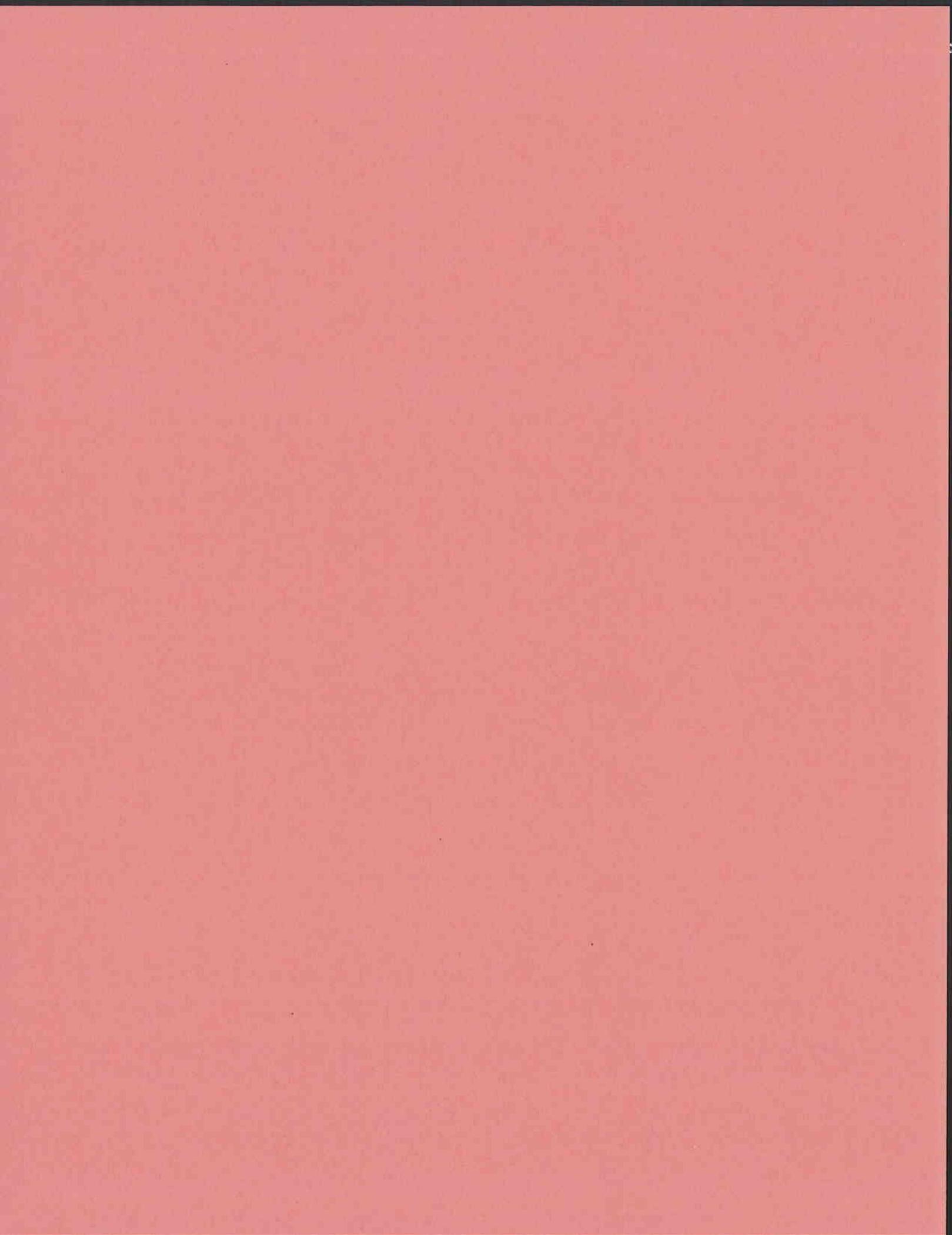
(Exhibit Viewing from 6:00 to 7:00 PM/Presentation begins at 7:00 PM)

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Individuals interested in attending the hearing who have special communication or accommodation needs are encouraged to contact TxDOT at 713-802-5071 at least two business days prior to the hearing. Since the hearing will be conducted in English, any requests for language interpreters or other special communication needs should also be made at least two business days prior to the public hearing. TxDOT will make every reasonable effort to accommodate these needs.

Verbal and written comments relative to the proposed project may be presented at the hearing or written comments may be submitted on or before November 1, 2007, to Director of Project Development, Texas Department of Transportation, P.O. Box 1386, Houston, Texas 77251.

ADVERTISEMENTS/NEWSPAPER ADDS



AFFIDAVIT OF PUBLICATION

STATE OF TEXAS:

COUNTY OF HARRIS:

Before me, the undersigned authority, a Notary Public in and for the State of Texas, on the day personally appeared: VICKI EUBANKS, who after being duly sworn, says that she is the ACCOUNTS RECEIVABLE LEAD at the HOUSTON CHRONICLE, a daily newspaper published in Harris County, Texas, and that the publication, of which the annexed herein, or attached to, is a true and correct copy, was published to-wit:

CARTER & BURGESS 22047669 16945913
 RAN A LEGAL NOTICE
 SIZE BEING: 1 X 73 L

product	date	class	page
hc	Jun 23 2007	1245.0	G_sat_0 6
tw	Jun 28 2007	1245.0	P_wz01_05

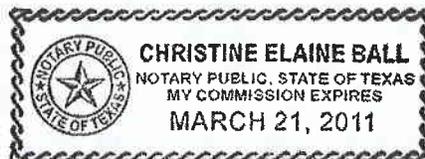
Vicki Eubanks

VICKI EUBANKS
ACCOUNTS RECEIVABLE LEAD

Sworn and subscribed to before me, this the 28th Day of June A.D. 2007

[Signature]

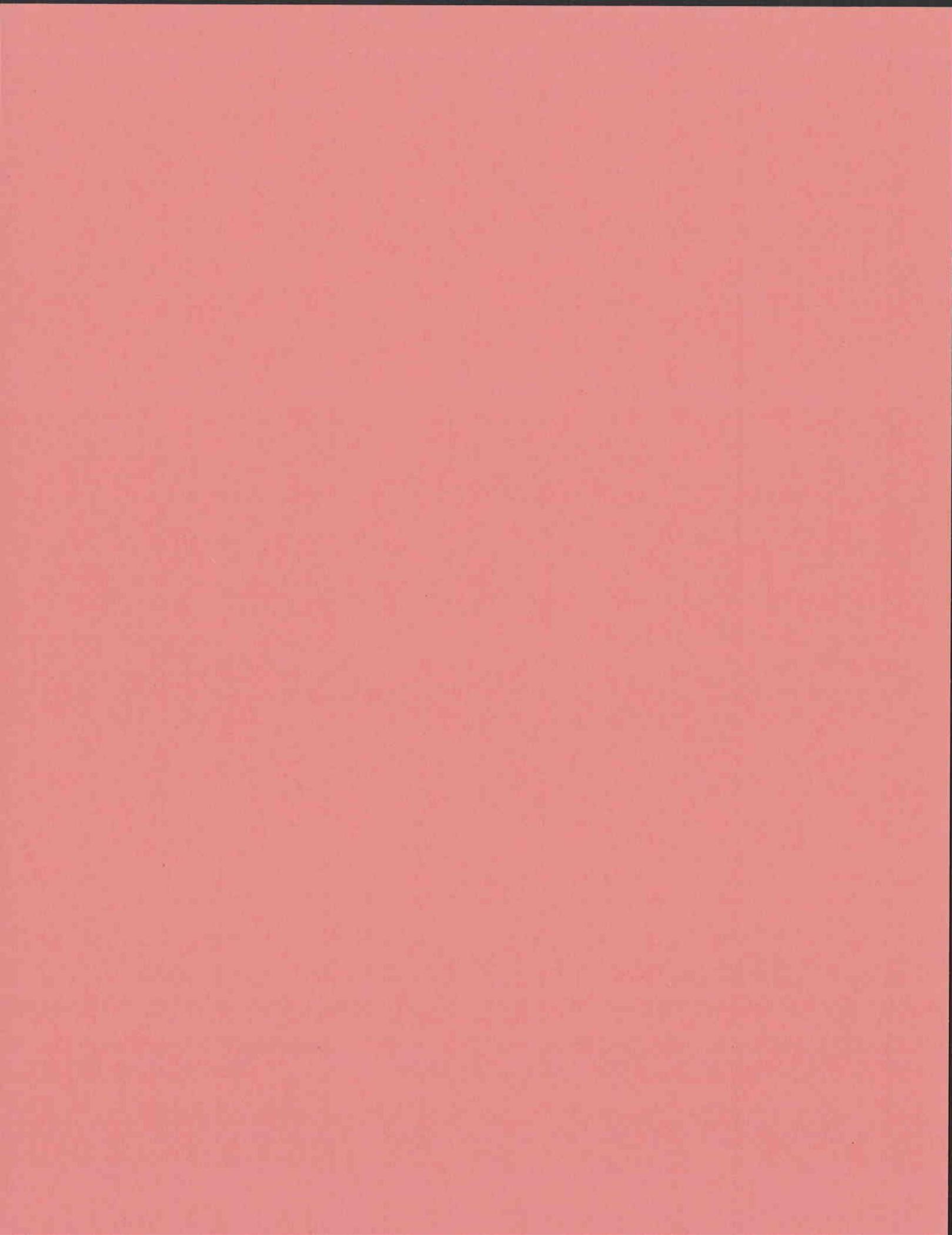
Notary Public in and for the State of Texas



**NOTICE AFFORDING
OPPORTUNITY FOR
PUBLIC HEARING**

Montgomery County, in conjunction with the Texas Department of Transportation (TxDOT), plans to improve an approximate 3.6-mile segment of Farm-to-Market Road 1484 between Loop 336 and FM 2432 in Montgomery County, Texas. The roadway would be widened from a two-lane facility to a four-lane facility in an expanded right-of-way sufficient to support a continuous left turn lane. Implementation of the proposed project would provide additional roadway capacity to facilitate traffic movement in the area. The project will require additional right-of-way. There will be displacements and relocations. TxDOT's acquisition and relocation assistance program would provide assistance to businesses that are required to relocate.

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Total Cost = 2730.28
Balance Due = 2730.28

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**NOTICE OF PUBLIC HEARING
FM 1484 BETWEEN
LOOP 336 AND FM 2432**

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**Thursday,
October 18, 2007
6:00 PM to 8:00 PM
The Lonestar Convention
& Expo Center
9055 FM 1484,
Conroe, Texas
(Exhibit viewing from 6:00
to 7:00 PM/Presentation
begins at 7:00 PM)**

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Verbal and written comments relative to the proposed project may be presented at the hearing or written comments may be submitted on or before November 1, 2007, to Director of Project Development, Texas Department of Transportation, P.O. Box 1386, Houston, Texas 77251.



HOUSTON COMMUNITY NEWSPAPERS

THIS IS NOT A BILL

Order:	009ZE2	Pubs:	1,35	Rate:	LE
Phone:	(713)803-2060	Class:	920	Charges:	\$ 0.00
Account:	B251814	Start Date:	09/18/2007	List Price:	\$ 438.04
Name:	Williams, Sandra	Stop Date:	10/08/2007	Payments:	\$ 0.00
Sales	2019				
Firm:	Carter & Burgess, Inc.	Insertions:	4	Balance:	\$ 438.04

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FM 1484 BETWEEN LOOP 336 AND FM 2432**

Montgomery County, in conjunction with, the Texas Department of Transportation (TxDOT), will hold a public hearing to discuss proposed improvements to FM 1484 between Loop 336 AND FM 2432 in Montgomery County, Texas:

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6:00 PM TO 8:00 PM**

**The Lonestar Convention & Expo Center
9055 FM 1484, Conroe, Texas**

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36526 September 18, 2007 & October 8, 2007



HO
CO
NE

AFFIDAVIT OF

**STATE OF TEXAS
COUNTY OF MONTGOMERY**

Personally appeared before the undersigned
County and State. Angela Holman, Represent
Publisher of the Conroe Courier, a newspaper
County of Montgomery, State of Texas. Who
oath that the report of Legal Notices, a true
published in said newspapers in its issue(s) o

_____ 18 day of September, 2007

and the _____ 8 day of October, 2007

Angela Holman
Publisher's Representative

Sworn to and subscribed before me this _____ 8 day of October, 2007

[Signature]
Notary Public

My commission expires on _____ 2/2/11



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36526 September 18, 2007 & October 8, 2007



AFFIDAVIT OF F

**STATE OF TEXAS
COUNTY OF MONTGOMERY**

Personally appeared before the undersigned
County and State. Angela Holman, Repres
Publisher of the Conroe Courier, a newspap
County of Montgomery, State of Texas. Wh

oath that the report of Legal Notices, a true copy of which is hereto annexed was
published in said newspapers in its issue(s) of the

18 day of September, 2007

and the 8 day of October, 2007

Angela Holman
Publisher's Representative

Sworn to and subscribed before me this 8 day of October, 2007

[Signature]
Notary Public
My commission expires on 2/2/11



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36526 September 18, 2007 & October 8, 2007

AFFIDAVIT OF PUBLICATION

STATE OF TEXAS:

COUNTY OF HARRIS:

Before me, the undersigned authority, a Notary Public in and for the State of Texas, on the day personally appeared: VICKI EUBANKS, who after being duly sworn, says that she is the ACCOUNTS RECEIVABLE LEAD at the HOUSTON CHRONICLE, a daily newspaper published in Harris County, Texas, and that the publication, of which the annexed herein, or attached to, is a true and correct copy, was published to-wit:

CARTER & BURGESS 22292965 16945913

RAN A LEGAL NOTICE

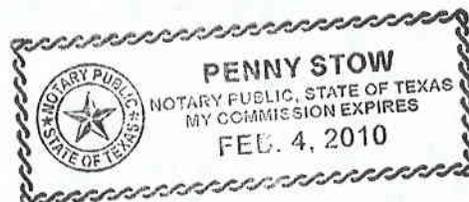
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hc	Oct 8 2007	1245.0	W_mond_012
tw	Oct 11 2007	1245.0	P_wz01_04

Vicki Eubanks

VICKI EUBANKS
ACCOUNTS RECEIVABLE LEAD

Sworn and subscribed to before me, this the 11th Day of October A.D. 2007



Penny Stow

Notary Public in and for the State of Texas

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FM 1484 BETWEEN
LOOP 336 AND FM 2432**

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PUBLIC HEARING HANDOUTS

----- Fold Here -----

Place
Stamp
Here

Texas Department of Transportation
P.O. Box 1386
HOUSTON, TEXAS 77251-1386

ATTN: Director of Advanced Project Development

RE: FM 1484 PROJECT – October 2007 Public Hearing

PURPOSE OF PUBLIC HEARING

The purpose of the public hearing is to present the findings of the preliminary engineering studies, environmental studies and the preferred alternative for public input.

COMMENTS

The Texas Department of Transportation is seeking your comments on the proposed project. Both verbal and written comments are welcome.

If you would like to speak during the "Opportunity for Public Comment" portion of the hearing, please fill out a speaker registration card located at the sign-in table. Each speaker will be limited to a period of 3 minutes.

Written comments may be submitted this evening or sent by mail to: Director of Project Development, Texas Department of Transportation, P.O. Box 1386, Houston, Texas 77251-1386.

Comments may also be submitted by e-mail to:
HOU-PIOWebmail@dot.state.tx.us.

All written comments must be postmarked or e-mailed by November 1, 2007, to be included in the official public hearing summary report.

PUBLIC HEARING SUMMARY REPORT

Please note that you will not receive a direct response to verbal or written comments. All verbal and written statements will be addressed in, and made a part of, the public hearing summary report. The report will be available in early 2008. It can be viewed at the Montgomery County Transportation Program Office, 520 North San Jacinto, Conroe, Texas 77301 or TxDOT Houston District Office, 7721 Washington Ave., Houston, Texas 77007. It will also be available on TxDOT Houston District Office's webpage, <http://www.dot.state.tx.us/hou/>. Hard copies will also be available upon request for the cost of copying.

PUBLIC HEARING AGENDA

OPEN HOUSE
(6:00 p.m. -7:00 p.m.)

FORMAL PRESENTATION
(7:00 p.m.)

*Welcome, Introduction,
and History of the Project*

Gabe Johnson, P.E.
**Director of Transportation
Planning & Development**
TxDOT

*Project Information
and Environmental Studies*

Sandra Williams
Project Manager
Carter & Burgess, Inc.

*Opportunity for
P.E.
Public Comment*

Gabe Johnson,

PLEASE PRINT

Number _____

FM 1484 Public Hearing – October 18, 2007

I desire to make a verbal statement at this Public Hearing.

Name

(Representing)

Address

City

State

Zip

Speakers will be limited to 3 minutes for comments.

TxDOT Right of Way Handouts

Purchase of Right of Way by Counties and Cities



Right of Way Division

CAN MY HOUSE BE MOVED?

Arrangements usually can be made for you to keep your house or buildings and move to another location. Since each case is different, it is best that you discuss this with an authorized representative of the acquiring agency.

WILL I HAVE TIME TO LOOK FOR ANOTHER HOME?

If your home is purchased, you will be paid the full consideration and given ample time to buy another using the proceeds from your sale before moving from your present home. This applies not only to homes but to all properties where a property owner relocates to a new property or moves retained buildings, fences or other improvements to remaining property. To the greatest extent practicable you will be given at least 90 days written notice of the day by which you must move.

WILL I HAVE TIME TO FENCE OR DO OTHER WORK ON MY REMAINING PROPERTY?

Every effort will be made to time the offer of purchase sufficiently in advance of construction to allow time for necessary property adjustment work. Examples of property adjustments are the building of fences along the right of way lines, the construction of new watering facilities for stock, the removal of any buildings or other improvements from the right of way area being purchased which an owner wishes to keep and reestablish elsewhere for continued use, and the adjustment of water lines and similar facilities which are necessary to continued best use of remaining property.

WHAT ABOUT PLANTING OR HARVESTING MY CROPS?

If crops have been planted, the offer to purchase will usually be based on your retaining a right to harvest crops in the ground, with the understanding that after closing the transaction no new crops

Your decision regarding the offer for your property needs to be made at the earliest possible time so that the completion of the acquisition process is not delayed. You can appreciate the fact that there is a definite time frame required for every aspect of the highway or transportation project that involves your property.

WHAT DOES DONATION OF RIGHT OF WAY MEAN?

The donation or gift of all or a portion of your property that is needed for right of way is an option that you have. Obviously, the public funds that are saved if property is donated can be utilized for construction and/or other purposes. Donations can also help to expedite the letting of construction contracts and lead to an earlier completion of the project.

In situations where remaining property will be greatly increased in value by the construction of the highway or other transportation facility, the donation of right of way may be to your advantage as a property owner by making your property more suitable for timely development. There are undoubtedly other good and valid reasons for consideration to be given to the possibility of donation or the acceptance of reduced consideration.

WHAT ABOUT DAMAGES?

In many cases highway construction will enhance rather than damage the remaining property. When only a portion of your property is taken for public use, every effort is made to compensate you adequately and fairly not only for the part taken but also for any damage if the loss of this portion reduces the value of the part you have remaining. The amount established for damages, if any, will be separately stated and will also be included in the total offer made to you by the acquiring agency.

will be planted. An exception to this procedure is when construction is so imminent as not to allow time for the harvesting of existing crops. In that case our offer to you will include payment for the existing crops based on the value of such crops at the time of the offer.

WHAT ABOUT MY MORTGAGE?

Like the handling of any other real estate transaction, payments must be made to satisfy outstanding mortgages or liens. If only a portion of your property is being acquired, agreement must be reached with the mortgage or lien agency concerning repayment requirements. If you were selling your property in a private real estate transaction, and part or all of an outstanding mortgage had to be paid, many lending agencies would require a prepayment penalty. Since this sale is being made to the public, most lending agencies, including the Federal Housing Administration, waive this requirement. However, some do not, and you should investigate this matter to determine whether or not such a penalty will have to be paid.

THE G.I. LOAN

The Veterans Administration recognizes that the sale of your property is not of your choosing. Under these circumstances your G.I. loan privileges may be restored and become available for coverage on another property. This action must be initiated by the veteran.

SMALL BUSINESS LOAN

The Small Business Administration administers funds for loans for small businesses. You may wish to contact one of the Small Business Administration offices which are located in Austin, Corpus Christi, Dallas, El Paso, Fort Worth, Harlingen, Houston, Lubbock, Marshall, and San Antonio to determine how to qualify for a loan.

WHEN WILL I KNOW SOMETHING DEFINITE?

You will be contacted by an authorized representative of the local acquiring agency. This contact for negotiation purposes, however, must be delayed until all preliminary requirements for project development have been completed. In some instances, the time between the date you may have heard of a proposed project until you are contacted may seem unreasonable; however, every effort is made to expedite the various planning, engineering, environmental, public hearing and approval steps so that purchase of the right of way can begin at the earliest possible date.

HOW MUCH WILL I GET?

You will, of course, want to know how much you will receive for your property. As a property owner you have the constitutionally guaranteed right to receive just compensation for the property which will be purchased from you. Even though you have the right to receive such compensation, you may make a gift or donation of all or part of the property being acquired if you wish to do so. Where payment is to be made, the real property will be appraised to determine just compensation. If you elect to donate all of your property prior to the time an appraisal is made, no appraisal will be made unless you desire one to be made.

A thorough investigation of your property will be made to determine its value in accordance with State law. You or your designated representative will be given an opportunity to accompany the individual evaluating your property during the inspection of your property. Your cooperation will greatly aid in insuring that nothing is overlooked which ought to be included in the appraisal of your property. At the earliest possible time, you will be provided a written offer in the total amount determined to be just compensation for your property. You will also be advised in the written offer concerning the option of retaining any building or other improvements located on the land needed for right of way.

society. In short, a government cannot provide services to its citizens without the right to acquire land.

OKAY, BUT WHY IS MY PROPERTY NEEDED?

You may have attended a meeting or public hearing where the need and methods of project development were discussed. One purpose of these meetings is to inform citizens of the systematic approach used to assess engineering conditions, beneficial and adverse social, economic, environmental and other effects. Projects are not arbitrarily selected. They are the result of cooperative efforts with the proper local agencies, the study of alternatives and a balanced consideration of the need for safe and efficient public transportation. You may be sure that this process was followed on the particular project which involves your property.

Under our form of government the rights of the individual are of paramount importance. Our laws guarantee these individual rights for all of us. However, our laws also recognize another principle, namely, the public good, which sometimes makes it necessary to resolve a difficult matter such as public acquisition of private property in favor of the majority for the good of all.

Every effort is made to reach a fair and equitable agreement in the acquisition of all right of way needed for public transportation purposes. It is sincerely hoped that when a highway project route and design have finally been determined all citizens will agree that fair and equitable consideration has been given to the property owners involved and that the selected route is in the best interest of the general public.

The remainder of this brochure is designed to answer questions common to most property owners. If you have other questions, the agency responsible for purchasing your property is always ready to discuss your situation and try to solve any problems.

INCOME TAXES

If your property is worth more today than when you bought it, you may be wondering about paying income tax on the difference when you sell to the public. The sale of property for public purposes comes under a class which the Internal Revenue Service designates as "involuntary conversion."

It may not be necessary to pay income tax or capital gain tax depending on how you reinvest your profits from the sale to the State. Any payment received for damages also may not be taxable. You, therefore, are urged to contact the Internal Revenue Service Office which serves your area or seek legal advice on these matters.

EMINENT DOMAIN PROCEEDINGS

Although a sincere and comprehensive effort is made to determine the just compensation for the right of way required, including improvements and damages to any remainder, the owner may still not be satisfied and refuse to sell. In other instances, the title to the land needed for right of way may be clouded to the extent that legal proceedings are necessary to effect a transfer of clear title. In these cases, eminent domain proceedings will be initiated by the acquiring agency. Thereafter, the Judge will appoint three disinterested landowners to serve as Special Commissioners to determine the value. A date will be set with the owner notified of the time and place of the hearing. At that time, the Special Commissioners will hear evidence and arrive at an award which will be filed with the Judge. A deposit in the amount of the award may be made with the Court at which time the acquiring agency will be entitled to take possession of the property involved. After the deposit is made, withdrawal of the award must be authorized by the Court. If either the owner or the acquiring agency is dissatisfied with the amount of the award, objections to the award may be filed within the time prescribed by law and the case subsequently tried in

the same manner as other civil cases. The basic issue decided in eminent domain cases is just compensation for the property being acquired.

RELOCATION ASSISTANCE AND BENEFITS

In addition to payment for your property, you may be entitled to additional benefits. If you must move, you may be entitled to both assistance in locating another home or business and financial assistance in the form of moving and related expenses. Such benefits, if any, are handled entirely separate from the acquisition of your property. It is beyond the scope of this brochure to detail specific benefits; however, if you are eligible, you will be provided with a separate relocation assistance brochure. Subsequently your rights and benefits will be fully explained in detail. If the needed right of way is occupied by a home, business or any personal property, DO NOT MOVE UNTIL YOU HAVE BEEN CONTACTED BY A RELOCATION ASSISTANCE COUNSELOR AND HAVE ESTABLISHED ELIGIBILITY FOR POSSIBLE RELOCATION BENEFITS. MOVING PREMATURELY WILL JEOPARDIZE THESE BENEFITS.

INCIDENTAL EXPENSES

After the date of payment of the purchase price or the date of deposit in court of funds to satisfy the award of compensation as determined through eminent domain proceedings to acquire real property, you will be reimbursed for any fair and reasonable expenses necessarily incurred in transferring title to the property for use by the Texas Department of Transportation. Expenses eligible for reimbursement may include (1) recording fees, transfer taxes, and similar expenses incidental to conveying the real property to the Department and (2) penalty costs for prepayment of any preexisting recorded mortgage entered into in good faith encumbering the real property. Voluntary unnecessary expenses or expenses incurred in clearing questionable title will not be eligible for reimbursement. Eligible incidental expenses will be reimbursed by

INTRODUCTION

By this time, you are probably aware that at least a portion of your property is required to improve the highway or public road system in your community. The purpose of this brochure is, briefly, to explain your rights as a citizen, the procedure followed in purchasing your property and, hopefully, answer some of the questions that may be in your mind. This brochure is offered for general information purposes only; it is not a document of law, rule or regulation.

For some highways, the State of Texas, acting directly through the Texas Department of Transportation, is responsible for the purchase of right of way. On others, cities and counties purchase right of way and conduct all negotiations with property owners. This brochure is concerned only with highways or public roads for which counties and cities are responsible for the purchase of rights of way. All of your questions may not be answered in this brochure, but perhaps the answers to a few will enable you to have a better understanding of the overall process. Later you will have an opportunity to discuss your individual case with the agency responsible for acquiring your property.

On the last page of this brochure you will find the name, telephone number and address of the agency responsible for purchasing your property.

PERHAPS THE FIRST QUESTION IS: WHY DOES THE GOVERNMENT HAVE THE RIGHT TO ACQUIRE PRIVATE PROPERTY?

Our successful existence in a democracy requires the development of public services to improve our way of life. We would be greatly handicapped without lands upon which to carry out the activities of government; there would be no lands for public schools, highways, public hospitals or other facilities necessary for our

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the Texas Department of Transportation upon submission of a claim supported by receipted bills or other evidence of actual expenses incurred. You may file a written request for review if you believe that the Department failed to properly determine the eligibility for or the amount of incidental expenses to be reimbursed. There is no standard form on which to request review of a claim; however, it must be filed with the Department's District Office for your area within six months after you are notified of the Department's determination on any claim for reimbursement.

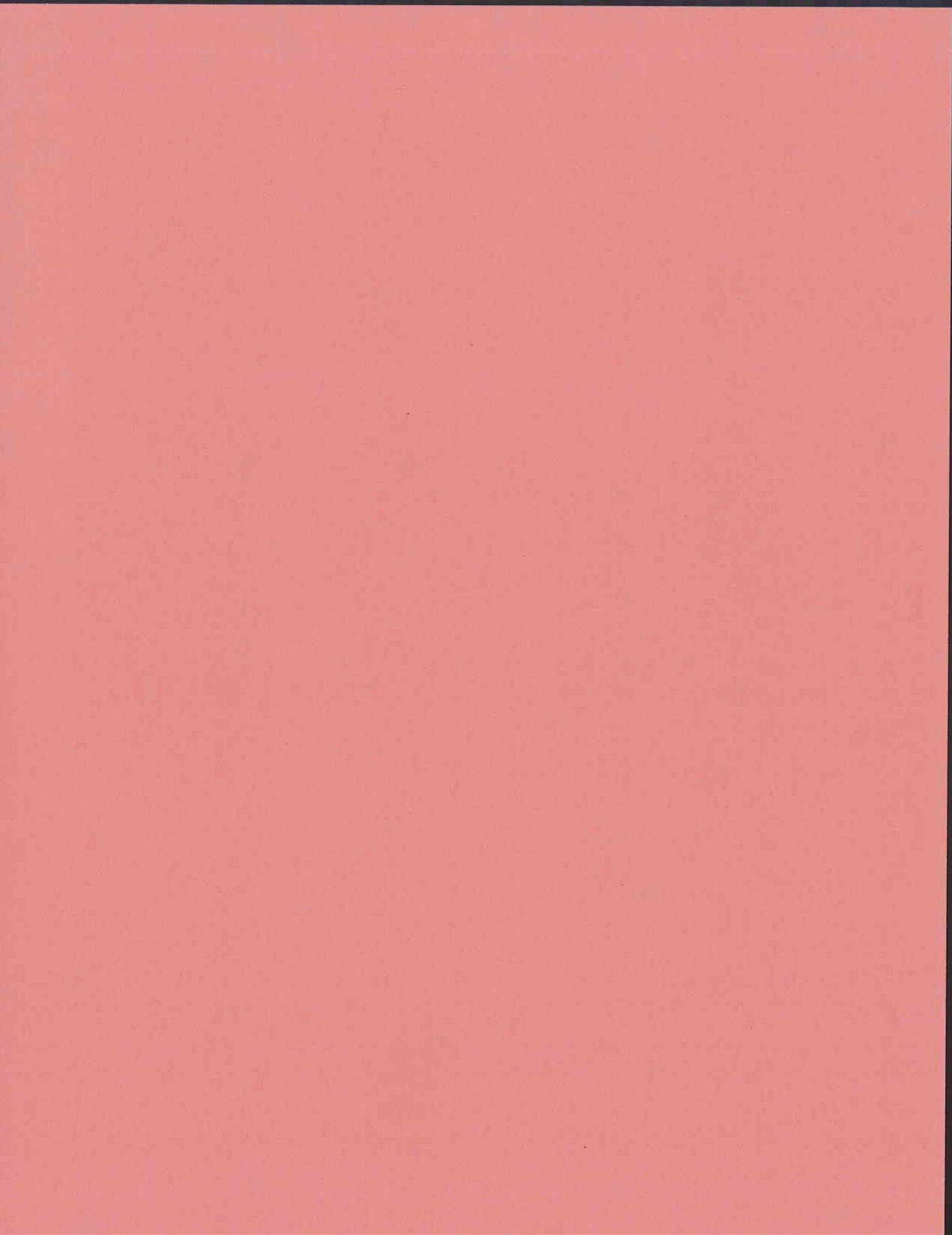
CONCLUSION

It is hoped that the purchase of your property can be accomplished to your satisfaction with a minimum of inconvenience to you. Should you require additional information, the agency responsible for purchasing your property is:

Name of Agency: _____

Address: _____

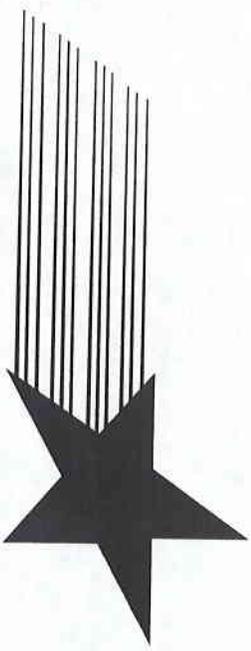
Telephone Number: _____



Relocation Office

You may contact the Relocation Assistance Office at the following address for relocation advisory assistance or information pertaining to the State law and procedures which regulate this program.

RELOCATION ASSISTANCE



Texas
Department
of Transportation

RIGHT OF WAY DIVISION

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and non-Profit Organizations 24

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Introduction

The development of highways or other public transportation services needed to serve and improve our way of life require the use of land. This, in turn, means that some persons may be required to move to another location. Your Texas Department of Transportation (TxDOT) is aware of the cost and inconvenience associated with having to move from a home, business or farm. In order to assist those who are required to move, TxDOT provides, through its relocation assistance program, payments and services to aid in movement to a new location.

This brochure provides information about available relocation services and payments:

- ❖ Section I is information for residential displacees.
- ❖ Section II is information for displaced businesses, farms and nonprofit organizations.
- ❖ Section III is for advertising signs.
- ❖ Section IV is on relocation assistance services.
- ❖ Section V is how to claim a relocation payment.
- ❖ Section VI is information on a person's right to appeal TxDOT's determination regarding the amount of a relocation payment or the person's entitlement to a relocation payment.

If you are required to move as the result of the acquisition of property for a TxDOT project, a relocation counselor will contact you. The counselor will be able to answer your specific questions and provide additional information. To ensure maximum relocation benefits you must discuss any proposed move with the relocation assistance counselor so that a definite understanding as to eligibility requirements can be reached.

Special Note

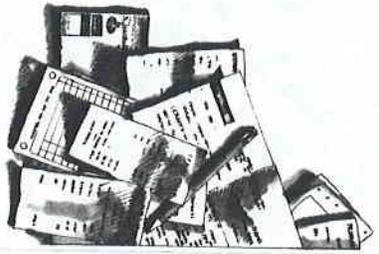
It is not possible to cover the needs and questions of each person; therefore, this brochure is offered for general information purposes only; it is not a document of law, rule or regulation.

Section VI: Your Right of Appeal

If you believe that TxDOT has failed to properly determine your eligibility for, or the amount of, a payment, you may appeal to TxDOT's Relocation Assistance Review Committee. If you indicate your dissatisfaction, either verbally or in writing, TxDOT will assist you in filing an appeal and explain the procedures to be followed. You will be given a prompt and full opportunity to be heard by the Review Committee. You have the right to be represented by legal counsel or other representative in connection with the appeal, (but solely at your own expense).

The Review Committee will consider all pertinent justification and material submitted by you and other available information needed to ensure a fair review. This Committee will provide you with a written determination resulting from the appeal with an explanation of the basis for the decision.

Another Important Benefit ...



No Adverse Effects on:

Social Security Eligibility

Welfare Eligibility

Income Taxes

Etc.

No relocation payment received will be considered as income for the purpose of the Internal Revenue Code or for the purposes of determining eligibility or the extent of eligibility of any person for assistance under the Social Security Act or any other Federal law.

Qualification for Assistance

Relocation assistance is available to individuals, families, businesses, farmers, ranchers and nonprofit organizations lawfully present in the United States who are displaced as a result of a State highway or transportation project. This assistance applies to tenants as well as owners occupying the real property needed for the project.

Advance Notice

Each displaced person will be given sufficient time to plan for an orderly, timely and efficient move. This applies not only to residential occupants but to all properties where an occupant has to move to a new location or move his property to a new location. To the greatest extent practicable, no person lawfully occupying real property will be required to move from that site without at least a 90-day written notice.

Caution

To assure eligibility and prompt payment of your relocation benefits, you must provide TxDOT (your relocation assistance counselor) an advance written notice of the approximate date of the planned move and a list of the items to be moved so that a TxDOT representative may inspect the personal property at the displacement and replacement sites and monitor the move. An occupant who moves prior to the date negotiations are initiated for acquisition of the property will not be eligible for any relocation payment unless he or she receives a written notice of advanced relocation eligibility before he or she moves from the property.

Some Important Definitions ...

Section V: Claim for Payment

Acquiring Agency

The "acquiring agency" which shall be referred to as the "agency" may be the Texas Department of Transportation (hereinafter referred to as "TxDOT") or a political subdivision of the State.

Displaced Person

Any person (individual, family, corporation, partnership, or association) who moves from real property or moves personal property from real property as the result of the acquisition of the real property, in whole or in part, or as the result of a written notice from TxDOT to vacate the real property needed for a State high way or transportation project. In the case of partial acquisition, TxDOT shall determine if a person is displaced as a direct result of the acquisition. Relocation benefits will vary, depending upon the type and length of occupancy of the acquired property. As a displacee, you will be classified as:

- ❖ An owner occupant of a residential property. (Includes mobile homes).
- ❖ A tenant occupant of a residential property. (Includes mobile homes and sleeping rooms).
- ❖ A business, farm or nonprofit organization.

Business

Any lawful activity conducted primarily for the purchase, sale, lease, and rental of personal or real property, or for the manufacture, processing, and/or marketing of products, commodities, or any other personal property; or for the sale of services to the public; or solely for the purpose of this Act, an outdoor advertising display(s) that must be moved as a result of a State highway or transportation project.

How Do I Obtain My Relocation Payment?

You must file a claim for reimbursement. The Department will provide you with the required claim forms, assist you in completing them, and explain the type of documentation, if any, that you must submit in order to receive your relocation reimbursement. If the expenses that you must meet prior to your move cause a hardship, discuss your financial needs with TxDOT.

When Should I File My Claim?

You must file your claim no later than 18 months after you move. However, it is to your advantage to file as soon as possible after you move. The sooner you submit your claim, the sooner it can be processed and paid.

Duplicate Payments

If you are unable to file your claim within 18 months, TxDOT may extend this time period. The Department is required to pay you promptly after you file an acceptable claim. If there is any question regarding your right to a relocation payment or the amount of the payment, you will be notified, in writing, of the problem and the action you may take to resolve the matter. No payment will be made under the Relocation Program if the displaced person is eligible to receive another payment provided by law that has substantially the same purpose and effect as the relocation payment.

Relocation Advisory Assistance

Checklist

This checklist is a summary of the relocation advisory assistance you may reasonably expect to receive if you are displaced by a State highway or transportation project. In addition to the services listed, TxDOT is required to coordinate its relocation activities with other agencies causing displacements to ensure that all persons displaced receive fair and consistent relocation benefits.

The Relocation Counselor will personally interview displacees to:

- ❖ Determine their Needs and Preferences
- ❖ Explain Relocation Benefits
- ❖ Offer Assistance
- ❖ Offer Transportation if Necessary
- ❖ Assure the Availability of a Comparable Property in Advance of Displacement
- ❖ Provide Current Listing of Comparable Properties
- ❖ Provide the Amount of the Replacement Housing Payment in Writing
- ❖ Inspect Houses for DSS Acceptability
- ❖ Supply Information on other Federal and State Programs Offering Assistance to Displacees
- ❖ Provide Counseling to Minimize Hardships

Family

The term "family" means two or more individuals living together in a single family dwelling unit who: . . . are related by blood, adoption, marriage, or legal guardianship who live together as a family unit, plus all other individuals regardless of blood or legal ties who live with and are considered a part of the family unit, or are not related by blood or legal ties but live together by mutual consent.

Farm

Any activity conducted solely or primarily for the production of one or more agricultural products or commodities, including timber, for sale and home use, and customarily producing such products or commodities in sufficient quantity to be capable of contributing materially to the operator's support.

Initiation of Negotiations

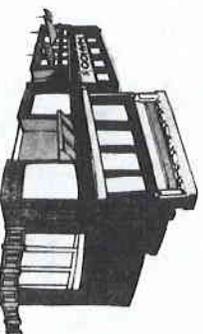
The date the acquiring agency makes its first written offer to an owner of real property, or the owner's representative, to purchase the real property for a State highway or transportation project.

Nonprofit Organization

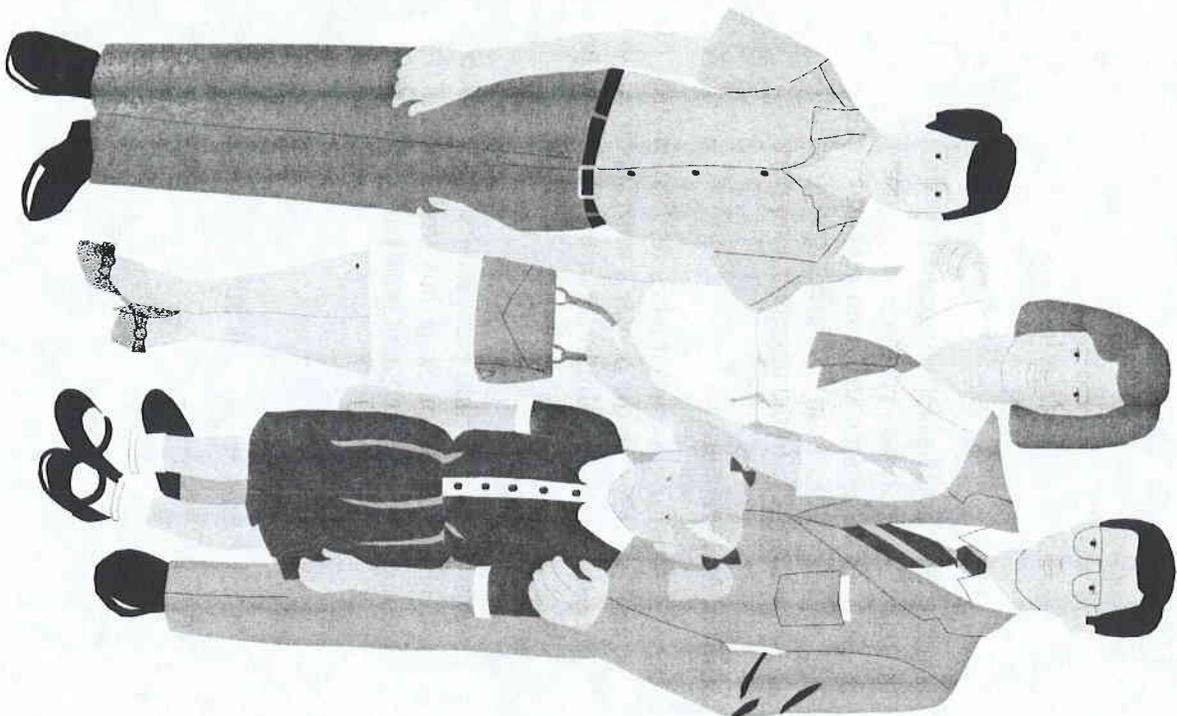
A public or private entity that has established its nonprofit status under applicable Federal or State law and exempt from paying Federal income taxes under Section 501 of the Internal Revenue Code.

Small Business

A business having no more than 500 employees working at the site being acquired.



Section I: Information for Residential Displacees



Social Services Provided By Other Agencies

Your relocation counselor will be familiar with the services provided by other public and private agencies in your community. If you have special needs, the counselor will make every effort to secure the services of those agencies with trained personnel who have the expertise to help you. Make your needs known in order that you may receive the proper assistance.

In Addition to Personal Contacts...

In addition to personal contacts by the relocation counselor, TxDOT agency may establish a relocation office on or near a project where a considerable number of people are to be relocated. Project relocation offices are open during convenient hours, including evening hours when necessary. The personnel employed in the relocation office will also assist you.

The office maintains a variety of information concerning:

- ❖ Listings of Available Replacement Properties
- ❖ Local Housing Ordinances Building Codes
- ❖ Social Services
- ❖ Security Deposits Interest Rates and Terms
- ❖ Typical Down Payments
- ❖ V/A and FHA Loan Requirements
- ❖ Real Property Taxes
- ❖ Consumer Education Literature on Housing

Visit your relocation office if one has been established - you will be more than welcome.

A Relocation Counselor Will Contact You...

Residential Assistance

A relocation counselor from TxDOT will contact you personally. Relocation services and payments will be explained to you in accordance with your eligibility. During the initial interview your housing needs and desires will be determined as well as your need for assistance. You cannot be required to move unless at least one comparable replacement dwelling is made available to you. When possible, comparable housing will be inspected prior to being made available to you in order to assure that it meets decent, safe and sanitary standards.

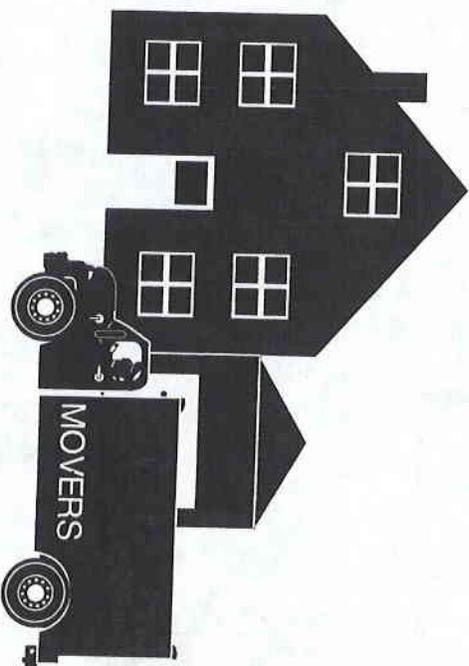
In addition, if you desire, the relocation counselor will give you current listings of other available replacement housing. Transportation will be provided to inspect available housing, especially if you are elderly or disabled. The Department will also provide counseling or help you get assistance from other available sources as a means of minimizing hardships in adjusting to your new location. Information concerning other Federal, State and local housing programs offering assistance to displaced persons is also available.

Business and Farm Assistance

The relocation counselor will assist in locating commercial properties and farms whenever businesses and farms are displaced. Steps will be taken to minimize economic harm to displaced businesses and to increase the likelihood of their being able to relocate back into the affected community. The counselor will also explore and provide advice as to possible sources of funding and assistance from other local, State and Federal agencies.

Moving Cost Reimbursement

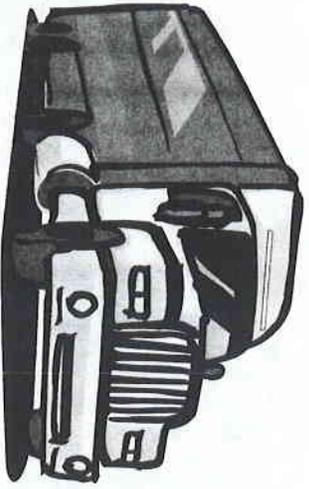
If you qualify as a displaced person, you are entitled to reimbursement of your moving costs and certain related expenses incurred in moving. The methods of moving and the various types of moving cost payments are explained below.



Individuals and Families

Displaced individuals and families may choose to be paid on the basis of actual, reasonable moving costs and related expenses, or according to a fixed moving cost schedule. However, to assure your eligibility and prompt payment of moving expenses, you must contact the relocation counselor from TxDOT before you move.

You Can Choose Either:



**Actual Reasonable
Moving Costs**

-OR-

**Fixed Moving Cost
Schedule**

- Including:**
- ❖ Packing and Unpacking
 - ❖ Temporary Storage
 - ❖ Transportation
 - ❖ Moving Insurance
 - ❖ Other Related Costs

**Based on
Room Count**

**Section IV:
Information on Relocation Services**



Relocation Assistance Services...

Any individual, family, business or farm displaced by a State highway or transportation program shall be offered relocation assistance services for the purpose of locating a suitable replacement property. Relocation services are provided by qualified personnel employed by TxDOT. It is their goal and desire to be of service to you, and assist in any way possible to help you successfully relocate. Remember, they are there to help and advise you; be sure to make full use of their services. Do not hesitate to ask questions, and be sure you understand fully all of your rights and relocation benefits.

❖ **Direct Loss of Personal Property Expenses**

This payment will be based upon the depreciated value of the sign in place as determined by TxDOT less the proceeds from its sale, or the estimated cost of moving the sign, but with no allowance for storage, whichever is the lesser amount.

or

❖ **Purchase of Substitute Personal Property**

This payment will be based upon the replacement cost of like-type sign less the sale/trade-in of current signs, or the estimated cost of moving the existing sign, but with no allowance for storage, whichever is the lesser amount.

Searching Expenses

Owners of displaced advertising signs are entitled to reimbursement for actual reasonable expenses incurred in searching for a replacement sign site (page 28), not to exceed \$2,500.

Caution

To assure eligibility and prompt payment for all moving expenses, you should provide TxDOT with advance written notice of the approximate date of the planned move and a sketch of the displaced sign showing its size (dimensions), number of poles, type materials, lighting and advertisement.

Also, advertising signs that are moved to locations which do not conform with the highway beautification provisions of the Texas Litter Abatement Act will not be eligible for a relocation reimbursement.

Actual Reasonable Moving Costs

You may be paid for your actual reasonable moving costs and related expenses when the move is performed by a commercial mover. Reimbursement will be limited to a 50-mile distance. Related expenses may include:

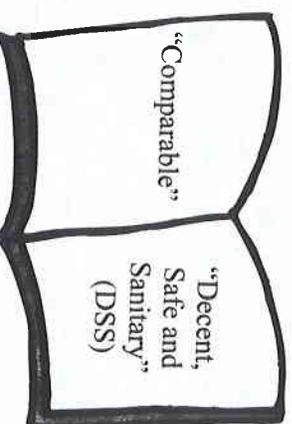
- ❖ Packing and unpacking personal property.
- ❖ Disconnecting and reconnecting household personal property
- ❖ Utility and telephone connection charges.
- ❖ Temporary storage of personal property.
- ❖ Insurance while property is in storage or transit.
- ❖ Mobile home park entrance fees.
- ❖ Expenses must be necessary and reasonable as determined by TxDOT and supported by receipts.

Fixed Moving Cost Schedule

Or you may choose to be paid on the basis of a fixed moving cost schedule. The amount of the payment is based on the number of rooms in your dwelling. If you choose this option, receipts are not necessary. Under this option you will not be eligible for reimbursement of related expenses listed above.

Replacement Housing Payments

Replacement Housing Payments . . . can be better understood if you become familiar with the definition of the following terms . . .

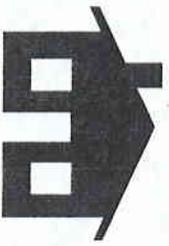


These terms are explained on the following pages.

A "Comparable" Replacement

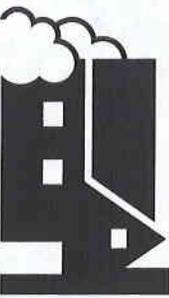
means that your...

Present Dwelling



and

Replacement Dwelling



are functionally equivalent

Regarding:

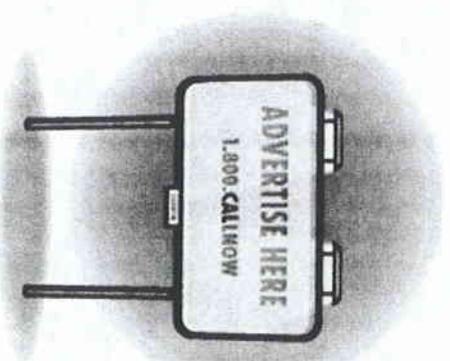
- ❖ Number of Rooms
- ❖ Living Space
- ❖ Location
- ❖ Square footage

A comparable replacement dwelling must be decent, safe, and sanitary, and should be functionally equivalent to your present dwelling. While not necessarily identical to your present dwelling, the replacement should have certain attributes:

- ❖ Have similar number of rooms and living space.
- ❖ Located in an area not subject to unreasonable adverse environmental conditions.
- ❖ Generally not be less desirable than your present location with respect to public utilities and commercial and public facilities.
- ❖ Located on a site that is typical size for residential development with normal site improvements.
- ❖ Currently available to you and within your financial means.

Section III: Advertising

The owner of any outdoor advertising display(s) is eligible for a relocation payment for actual moving and related expenses.



Types of Payments for Advertising Signs

Actual Costs

Actual reasonable moving expenses may be paid when the move is performed by a qualified mover (page 9). Claims for such expenses must be supported with itemized receipts or other verifiable evidence of the expense(s) incurred.

Self-Move

If you elect to take full responsibility for all or part of the move, TxDOT may approve a negotiated payment as described on page 27. Negotiated self-move payments must be approved by TxDOT prior to the start of the planned move.

acquisition. In the case of a partial acquisition, TxDOT must determine that the acquisition caused the operator to be displaced or it caused a substantial change in the nature of the farm operation.

For a nonprofit organization to be eligible for a fixed payment, it must furnish proof of its nonprofit status under applicable Federal or State law.

Applications for fixed payments in lieu of actual expenses must be filed with TxDOT prior to the displacee's planned move from the displacement property.

The Computation of Your Fixed Payment (In Lieu)

The fixed payment is based upon the average annual net earnings of the business or farm operation for the two taxable years immediately preceding the taxable year in which it was displaced.

Example:	1984	1985	1986
	Annual	Annual	Year
	Net	Net	Displaced
	Earnings	Earnings	
	\$8,000	\$10,000	
	AVERAGE		
	\$9,000 = Fixed Payment		

You must provide information to TxDOT to support your claim. Proof of earnings shall be documented by certified copies of the displacee's Federal income tax returns obtained from the Internal Revenue Service files for the tax years in question.

The relocation counselor will explain eligibility requirements and claim documentation if you are interested in this alternate benefit.

Decent, Safe, and Sanitary (DSS) ...

Replacement housing must be decent, safe, and sanitary ... which means it meets all of the minimum requirements established by the State and conforms to applicable housing and occupancy codes. The dwelling shall:

- ❖ Be structurally sound, weathertight, and in good repair.
- ❖ Contain a safe electrical wiring system adequate for lighting and electrical appliances.
- ❖ Contain a heating system capable of sustaining a healthful temperature (of approximately 70 degrees) except in those areas where local climatic conditions do not require such a system.
- ❖ Be adequate in size with respect to the number of rooms and area of living space needed to accommodate the displaced person(s).
- ❖ Contain a well-lighted and ventilated bathroom providing privacy to the user and containing a sink, bathtub or shower stall, and a toilet, all in good working order and properly connected to appropriate sources of water and sewage drainage system.
- ❖ Contain a kitchen area with a fully usable sink, properly connected to potable hot and cold water and to a sewage drainage system, with adequate space and utility connections for a stove and refrigerator.
- ❖ Have unobstructed egress to safe, open space at ground level.
- ❖ Be free of any barriers which prevent reasonable ingress, egress, or use of the dwelling in the case of a disabled displacee.

Replacement Housing Payments Are Separated Into Three Basic Types:

- ❖ Purchase Supplement (page 13)
- ❖ Rental Assistance (page 16)
- ❖ Down Payment (page 20)

The type of payment depends on whether you are an owner or a tenant, and how long you have lived in the property being acquired prior to negotiations.

The Two Basic Occupancy Time Periods and What You Are Entitled To

There are two basic length of occupancy requirements which determine the type of replacement housing payment to which you are entitled. Length of occupancy simply means counting the number of days that you actually occupied a dwelling immediately before the date of initiation of negotiations by the acquiring agency for the purchase of the property.

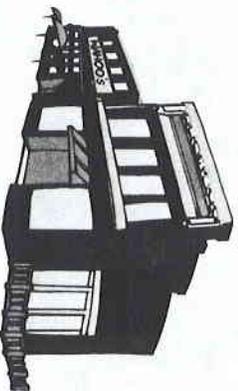
Owners who were in occupancy 180 days or more immediately prior to the initiation of negotiations may be eligible for a purchase supplement up to \$22,500 or a rental assistance payment up to \$5,250.

If you are a residential owner or a tenant who has been in occupancy 90 days or more immediately prior to the initiation of negotiations, you may be eligible either for a rental assistance payment or a down payment up to \$5,250.

If you have been in occupancy less than 90 days before the initiation of negotiations and the property is subsequently acquired, or if you move onto the property after the initiation of negotiations and you are still in occupancy on the date of acquisition, you may be eligible for last resort housing (see page 22). Check with the relocation counselor for more details regarding benefits.

Fixed Payment (In Lieu)

Displaced businesses, farms, and nonprofit organizations may be eligible for a fixed payment in lieu of actual moving expenses, reestablishment expenses, personal property losses, and searching expenses. The fixed payment may not be less than \$1,000 or more than \$20,000 for businesses, farms, and nonprofit organizations.



For a business to be eligible for a fixed payment, TxDOT must determine that each and all of the following apply:

1. The business owns or rents personal property which must be moved in connection with its displacement and for which expense would be incurred in its move.
2. The business cannot be relocated without a substantial loss of its existing patronage.
3. The business is not part of a commercial enterprise having more than three other entities not being acquired and which are under the same ownership and engaged in the same or similar business activities.
4. The business is not operated at a displacement dwelling solely for the purpose of renting such dwelling to others.
5. The business is not operated at the displacement site solely for the purpose of renting the site to others.
6. The business contributed materially to the income of the displaced person during the two (2) taxable years prior to displacement.

For the owner of a farm to be eligible for a fixed payment, the farm operation must be displaced either by total or partial

Reestablishment Expenses for Replacement Site

A small business (not over 500 employees), farm or nonprofit organization may be eligible to receive a payment, not to exceed \$10,000 for expenses actually incurred in relocating and reestablishing such small business, farm or nonprofit organization at a replacement site. These reestablishment expenses must be reasonable and necessary as determined by TxDOT. Your relocation counselor will explain in detail the eligible expenses included under this category of relocation assistance.

Direct Losses of Tangible Personal Property/ Purchase of Substitute Personal Property

Displaced businesses, farms, and nonprofit organizations may be eligible for a payment for the actual direct loss of tangible personal property or the purchase of substitute personal property, which is incurred as a result of the move or discontinuance of the operation. This payment will vary depending upon whether the item is replaced or not; however, it may never exceed the estimated cost of moving and reinstallation.

Your relocation counselor will explain this procedure in detail if you are faced with this problem.

Searching Expenses for Replacement Property

Displaced businesses, farms, and nonprofit organizations are entitled to reimbursement for actual reasonable expenses incurred in searching for a replacement property, not to exceed \$2,500. Expenses may include transportation, meals, and lodging when away from home; the reasonable value of the time spent during the search; fees paid to real estate agents, brokers, or consultants; and other expenses determined to be reasonable and necessary by TxDOT.

Purchase Supplement

For Owner Occupants for 180 days or More

If you are an owner and have occupied your home for 180 days or more immediately prior to the initiation of negotiations for the acquisition of your property, you may be eligible, in addition to the just compensation for your property, for a supplemental payment, not to exceed \$22,500 for all costs necessary to purchase a comparable decent, safe, and sanitary replacement dwelling. The Department will compute the maximum payment you are eligible to receive. You must purchase and occupy a DSS replacement dwelling within one (1) year.

The Purchase Supplement Includes:

Price Differential

The price differential payment is the amount by which the cost of a replacement dwelling exceeds the acquisition cost of the displacement dwelling. The price differential payment and the following payments are in addition to the acquisition price paid for your property.

Increased Mortgage Interest Costs

You may be reimbursed for increased mortgage interest costs if the interest rate on your new mortgage exceeds that of your present mortgage. To be eligible your acquired dwelling must have been encumbered by a bona fide mortgage which was a valid lien for at least 180 days immediately preceding the initiation of negotiations.

Incidental Expenses for Replacement Housing

You may also be reimbursed for other expenses such as reasonable costs incurred for loan applications, recording fees, and certain other closing costs, but not including prepaid expenses such as real estate taxes and property insurance or costs for services normally paid by sellers of residential properties or

provided by title companies and closing agents as part of other services. The total amount of the purchase supplement cannot exceed \$22,500, according to the law.

Example of a Price Differential Payment Computation

Assume that TxDOT purchases your property for \$50,000. After a thorough study of available decent, safe, and sanitary dwellings on the open market, TxDOT determines that a comparable replacement property will cost you \$60,000. If your purchase price is more than \$60,000, you pay the difference (see Example B). If your purchase price is less than \$60,000, the differential payment will be based on actual costs (see Example C). How much of the differential payment you receive depends on how much you actually spend on a replacement dwelling as shown in three examples on the next page.

Acquiring Agency's Computation

Comparable Replacement Property	\$60,000
Acquisition Price of Your Property	<u>\$50,000</u>
Maximum Price Differential	\$10,000

Example A:

Purchase Price of Replacement	\$60,000
Comparable Replacement Property	\$60,000
Acquisition Price of Your Property	<u>\$50,000</u>
Maximum Price Differential	\$10,000

Example B:

Purchase Price of Replacement	\$63,500
Comparable Replacement Property	\$60,000
Acquisition Price of Your Property	<u>\$50,000</u>
Maximum Price Differential	\$10,000
You Must Pay the Additional	\$ 3,500

Example C:

Comparable Replacement Property	\$60,000
Purchase Price of Replacement	\$57,500
Acquisition Price of Your Property	<u>\$50,000</u>
Maximum Price Differential	\$ 7,500

(see next page for a more graphic example.)

Two Ways to Move Your Enterprise

❖ *Professional Mover.* You may be reimbursed the actual reasonable costs of your move carried out by a professional mover. All of your expenses must be supported by receipts in order to ensure prompt payment of your moving cost claim. Also, costs must be reasonable and necessary. Certain other expenses are also reimbursable, such as packing, crating, unpacking, and uncrating, disconnecting, dismantling, removing, reassembling, and reinstalling relocated machinery, equipment and other personal property. Other expenses such as temporary storage costs, insurance while in transit or storage, and the cost of new licenses and permits may also be reimbursable.

❖ *Self-Move.* If you elect to take full responsibility for all or part of the move, TxDOT may approve a negotiated reimbursement payment not to exceed the lowest acceptable bid or estimate prepared by qualified moving firms, moving consultants or a qualified Department employee. If two acceptable bids or estimates cannot be obtained, or you decide to move yourself on an actual cost basis, your moving payment may be based on actual, reasonable moving expenses supported by receipted bills or other evidence of the actual expenses. Cost estimates or bids for negotiated self-move payments shall be obtained by TxDOT. Moreover, self-move payments must be approved by TxDOT before the start of the proposed move.

Notification and Inspection

To assure eligibility and prompt payment for moving expenses, you should provide TxDOT with advance written notice of the approximate date of the planned move and a list of items to be moved so that TxDOT may inspect the personal property at the displacement and replacement sites and monitor the move.

Types of Payments



Actual Reasonable Moving Costs

- Including**
- Personal Property Losses
- Plus**
- Expenses in Finding a Replacement
- Plus**
- Expenses In Reestablishing Your Business

(Reimbursement limited to a 50-mile distance)

Fixed Payment in Lieu of Moving Costs, Etc.

Businesses and Farms From \$1,000 to \$20,000 Equal to Average of Two (2) Years Annual Net Earnings

Nonprofit Organizations From \$1,000 to \$20,000 Average of Two (2) Years Annual Gross Revenues Less Administrative Expenses

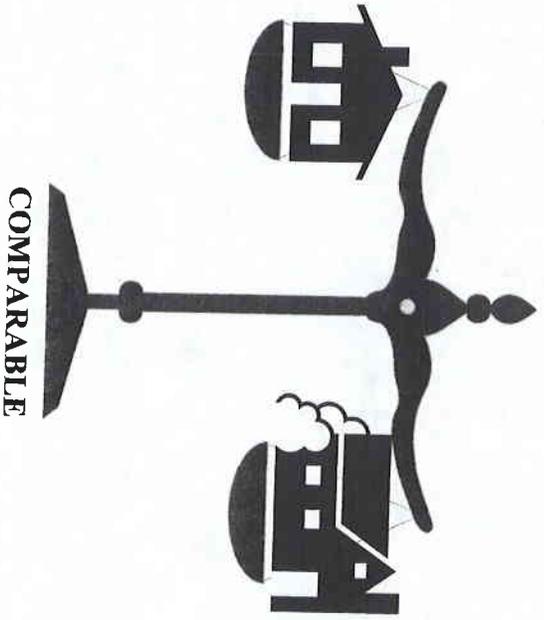
(Reimbursement limited to a 50-mile distance)

Example...

<p>Original Acquisition Cost \$50,000</p>
--

<p>Comparable Replacement Cost \$60,000</p>
--

Price Differential Payment may be any amount up to \$10,000



Rental Assistance

For Owner Occupants and Tenants of 90 Days or More

Owner occupants and tenants of 90 days or more may be eligible for a rental assistance payment. To be eligible for a rental assistance payment, tenants and owners must have been in occupancy at least 90 days immediately preceding the initiation of negotiations for the acquisition of the property. This payment was designed to enable you to rent a comparable decent, safe, and sanitary replacement dwelling for a 42-month period. If you choose to rent a replacement dwelling and the rental payments are higher than you have been paying, you may be eligible for a rental assistance payment up to \$5,250. TxDOT will determine the maximum payment you may be eligible to receive in accordance with established procedures. The rental assistance payment will be paid in a lump sum unless TxDOT determines that the payment should be paid in installments. You must rent and occupy a DSS replacement dwelling within one (1) year to be eligible.

For graphic examples, see the next two pages.

Moving Cost Reimbursement:

Businesses, Farms, and Nonprofit Organizations

Owners or tenants may be reimbursed on the basis of actual reasonable moving costs and related expenses or, under certain circumstances, a fixed payment.

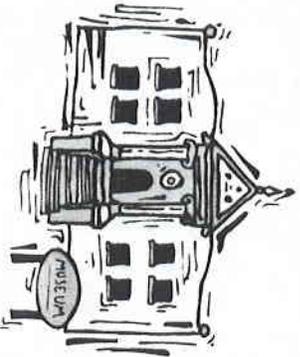
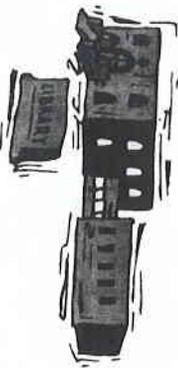
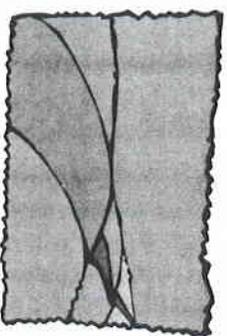
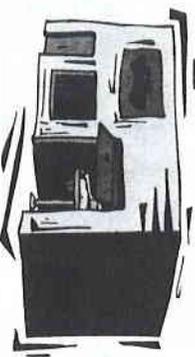
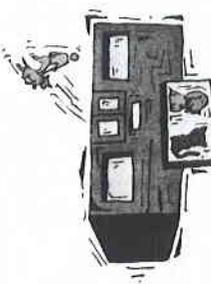
A. Actual reasonable moving expenses may be paid when the move is performed by a professional mover or if you move yourself (page 27). Related expenses, such as personal property losses (page 28), and expenses in finding a replacement site (page 28), may also be reimbursable. You may also be reimbursed for expenses incurred in the reestablishment of your business (page 28).

or,

B. You may be eligible to receive a fixed payment from \$1,000 to \$20,000. This payment is based on the annual net earnings of the business or farm, not to exceed \$20,000. To qualify for a fixed payment, certain conditions must be met. See page 31 for detailed information. For a nonprofit organization the fixed payment is the average of two (2) years annual gross revenues less administrative costs, not to exceed \$20,000.00.

Section II: Information for Businesses, Farms, and Nonprofit Organizations

Example

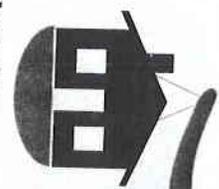


Original Rent

Determined Amount of Replacement Rent

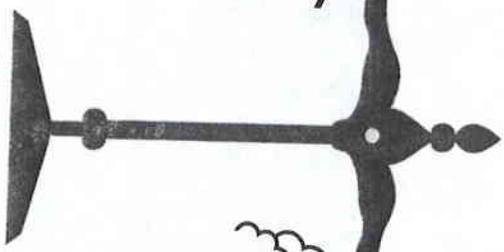
Total payment may be up to \$5,250 for a 42-month period

...not less than 90 days prior occupancy



...rented and occupied within one year

COMPARABLE



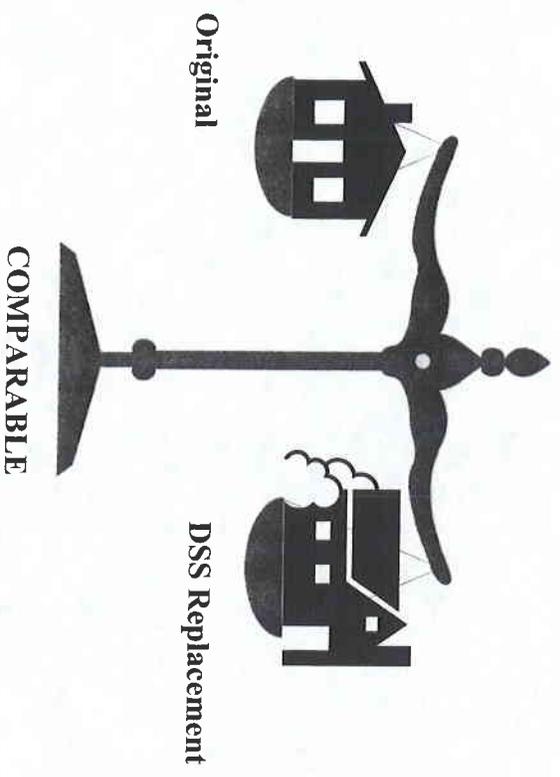
Example....



Original Rent
\$250 per month

Replacement Rent
\$325 per month

Total Rental
Assistance
Payment for 42
months is \$3,150
(\$75 X 42 mos.)



This policy, however, does not require an acquiring agency to provide a person a larger payment than is necessary to enable a person to relocate to a comparable replacement dwelling.

To All Residential Displacees...

The most important thing to remember is that the replacement dwelling you select must meet the basic “decent, safe, and sanitary” standards to receive any benefits. Do not execute a sales contract or a lease agreement until a representative from TxDOT has inspected and certified in writing that the dwelling you propose to purchase or rent does meet the basic standards. Please do not jeopardize your right to receive a replacement housing payment by moving into a substandard dwelling.

Last Resort Housing

On most projects, an adequate supply of housing will be available for sale and for rent, and the benefits provided will be sufficient to enable you to relocate to comparable housing. However, there may be projects in certain locations where the supply of available housing is insufficient to provide the necessary housing for those persons being displaced. When a housing shortage occurs, TxDOT will solve the problem by the administrative process called **Last Resort Housing**. If comparable housing is not available, or it is not available within the maximum \$5,250 or \$22,500 payment limits, it must be provided before you are required to move. In such cases TxDOT has broad flexibility in providing the required housing and can, if necessary, provide replacement housing payments in excess of the normal \$5,250 and \$22,500 payment limits.

All eligible displacees have a freedom of choice in the selection of replacement housing. If a displacee decides not to accept the replacement housing offered by TxDOT, the displacee may secure a replacement dwelling of his/her choice, providing it meets DSS housing standards. If you are eligible for replacement housing under the Last Resort Housing program, you will be so informed by the relocation counselor, who will thoroughly explain the program.

Fair Housing

The Fair Housing Law (Title VIII of the Civil Rights Act of 1968) sets forth the policy of the United States to provide, within constitutional limitations, for fair housing throughout the United States. This Act and later Acts and amendments make discriminatory practices in the purchase and rental of most residential units illegal if based on race, color, religion, sex, or national origin. Whenever possible, minority persons shall be given reasonable opportunities to relocate to decent, safe, and sanitary replacement dwellings, not necessarily located in an area of minority concentration, that are within their financial means.

For Instance...

As an example of how a rental assistance payment is computed, let's assume that you have been paying \$250 per month rent for the dwelling occupied by you and purchased by the agency. After a study of the rental market, TxDOT determines that a replacement rental unit, which is DSS and comparable to your present dwelling, is available for \$325 per month. The maximum rental assistance payment you can receive in this case is \$75 per month for a 42-month period, or \$3,150.

Option A

If you select a replacement dwelling which rents for \$350 per month, despite the availability of comparable DSS replacement rental units that rent for \$325 per month, you will still receive only the maximum computed payment of \$3,150. In other words, you must pay the additional \$25 per month.

Option B

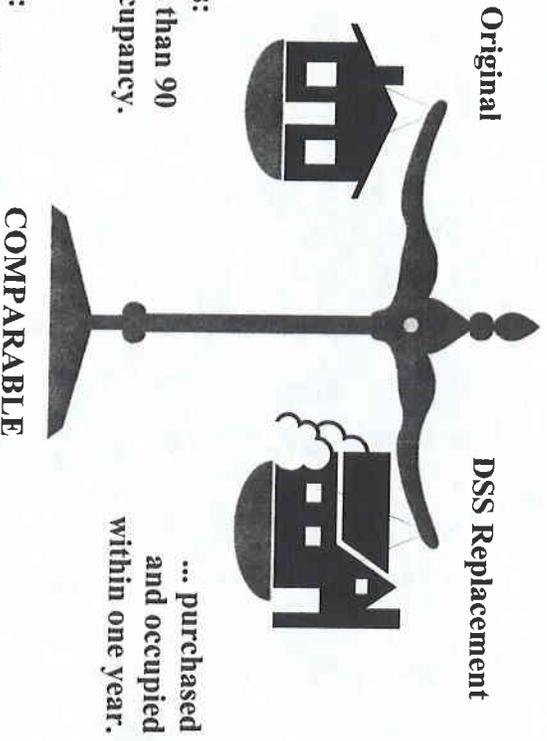
If you select a replacement dwelling which rents for more than your present rent but less than the amount determined by the agency, you will be paid on the basis of actual cost. For example, assume you select a replacement dwelling unit that rents for \$300 per month. On the basis of actual cost you will be eligible for a payment of \$50 per month for 42 months, or \$2,100. The computation of a rental assistance payment for a owner occupant is slightly more complex and space does not permit its inclusion in this brochure. Owners interested in renting should contact TxDOT for a complete explanation.

Down Payment

Owner-occupants of 90 days to 179 days, and tenants of 90 days or more

**Up to \$5,250
Down Payment**

**Will be paid on
replacement**



**Tenants:
Not less than 90
days occupancy.**

**... purchased
and occupied
within one year.**

**Owners:
Less than 180
days but more
than 90 days
occupancy.**

Owner-occupants of 90 days to 179 days and tenants of 90 days or more may be eligible for a down payment, and incidental expenses, not to exceed (the amount of the approved rental assistance supplement). Incidental expenses for replacement housing include the reasonable costs of loan applications, recording fees, and certain other closing costs but do not include prepaid expenses such as real estate taxes and property insurance. You may also be eligible for the reimbursement of loan origination or assumption fees, if such fees are normal to real estate transactions in your area and they do not represent prepaid interest. Remember, you must purchase and occupy a DSS replacement dwelling within one (1) year of your moving date (for owners) or one (1) year of the date of the 90-day Notice to Vacate (for tenants)

A thorough explanation of the computation can be found on the next page.

Down Payment Computation (Example)

Actual Down Payment	\$7,000
Closing & Incidental Costs	950
Total Amount Needed	7,950
Agency Rental Assistance Supplement	-5,000
Displacee Pays	<u>\$2,950</u>

Explanation of Down Payment Computation

From the example shown on the previous page, the total down payment and closing costs is \$7,950. The total payment by TxDOT will be \$5,000, which is the previously approved rental supplement (see above). The displacee must pay \$2,950 in order to purchase this property.

Although this may sound complicated, the relocation counselor from TxDOT will explain the procedure to you personally.



Relocation Survey

Dear Displacee,

The Texas Department of Transportation (TxDOT), to better serve the citizens of Texas, recently provided relocation assistance to you in conjunction with the construction of a transportation project. The Department strives for continual improvement in all phases of the right of way acquisition and relocation assistance program.

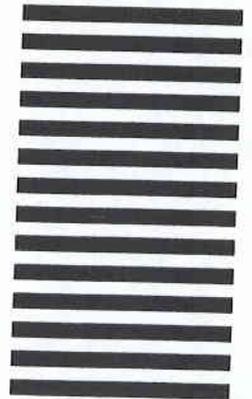
Please take a moment to complete the attached questionnaire by rating your impressions for each of the five questions. A space is provided for additional comments you may offer. When you have completed the questionnaire, please detach along the perforated line and drop into the mail. No postage is necessary. Your identification will not be associated with the survey ratings nor provided for use to other parties.

Thank you for your assistance to better transportation for all Texans.

Sincerely,
John P. Campbell, P.E.
Director, Right of Way Division



NO POSTAGE
NECESSARY
IF MAILED
IN THE
UNITED STATES



BUSINESS REPLY MAIL
FIRST-CLASS MAIL PERMIT NO. 175 AUSTIN TX

POSTAGE WILL BE PAID BY ADDRESSEE

**RIGHT OF WAY DIVISION
TEXAS DEPARTMENT OF TRANSPORTATION
125 E. 11TH ST
AUSTIN, TX 78701-9909**



To be completed by TxDOT Right of Way Agent

Name: _____
 If you would like to be contacted by telephone to give additional information or comments, please complete this portion.
 Phone Number: (_____) _____

Comments:

	5	4	3	2	1	
1. How well did we explain your relocation benefits and answer your questions about the relocation assistance program?	<input type="checkbox"/>	5	4	3	2	1
2. Was the Relocation Agent informed and responsive to your questions?	<input type="checkbox"/>	5	4	3	2	1
3. Was the Relocation Agent courteous and professional?	<input type="checkbox"/>	5	4	3	2	1
4. How would you rate the usefulness of the printed material provided by the Department?	<input type="checkbox"/>	5	4	3	2	1
5. Overall, how would you rate the way your relocation was handled?	<input type="checkbox"/>	5	4	3	2	1

Please indicate your satisfaction with the Relocation Assistance Program by circling the appropriate category or checking the "not applicable" box.



Texas Department of Transportation
 Right of Way Division
 118 E. Riverside Drive
 Austin, TX 78704

VIDEO PRESENTATION OUTLINE



Gabe Johnson:

•**Good Evening.** My name is **Gabe Johnson** and I am the Director of Transportation Planning and Development for the Texas Department of Transportation, Houston District. On behalf of the Federal Highway Administration, **TxDOT and Montgomery County we welcome** you to this Public Hearing. Before we continue with tonight's hearing, please allow me to extend our appreciation to the **Lonestar Convention & EXPO Center** for the use of their facilities to conduct this hearing. **Today's date is October 18, 2007 and the time is 7:00 pm.**

•The **purpose** of this Public Hearing is to present the proposed project design and the results of the environmental studies for improvements to Farm-to-Market (FM) 1484 between Loop 336 and FM 2432, gather any input, comments, and/or suggestions you may have regarding these plans, thereby meeting the requirements of Chapters 26 and 27 of the Texas Administrative Code.

•This public hearing is being recorded by a certified court reporter for the formal public record.



Gabe Johnson:

You may have noticed sign-in tables as you walked into the building this evening. If you have not already done so, please sign-in before you leave tonight. The sign-in sheets allow us to record tonight's participation and give you the opportunity to be added to the project mailing list. Also available at the sign-in tables are handouts, which includes project information and a comment form for your use at tonight's hearing. Speaker registration cards are also provided at the sign-in table for those who wish to make a verbal comment during the public comment session tonight.

The public comment session will follow tonight's presentation. We will not answer questions during the presentation or public comment session, but we will be available to answer your questions following the comment session. Please feel free to view the exhibits on display at tonight's public hearing – they will be available until all public comments are heard and we adjourn tonight.



Gabe Johnson:

At this point, we would like to recognize the elected officials that are in attendance tonight. ***[Read names from sign-in sheet-These names will be provided to you prior to 7 pm]:***

•Mike Meador, Montgomery County Commissioner, Precinct 1

If there are other elected officials present tonight, please raise your hand to be recognized. ***[Recognize each person]***

FM 1484 NOTICE OF PUBLIC HEARING

- **Houston Chronicle**
- September 18 and October 8, 2007
- **Conroe Courier**
- September 19 and October 9, 2007
- **Houston Chronicle's North Montgomery County
Community Newspaper**
- September 18 and October 8, 2007



Gabe Johnson:

Notices of this Public Hearing were advertised in the:

- **Houston Chronicle**
- **The Houston Chronicle's Community Newspaper distributed in North Montgomery County; and**
- **The Conroe Courier**

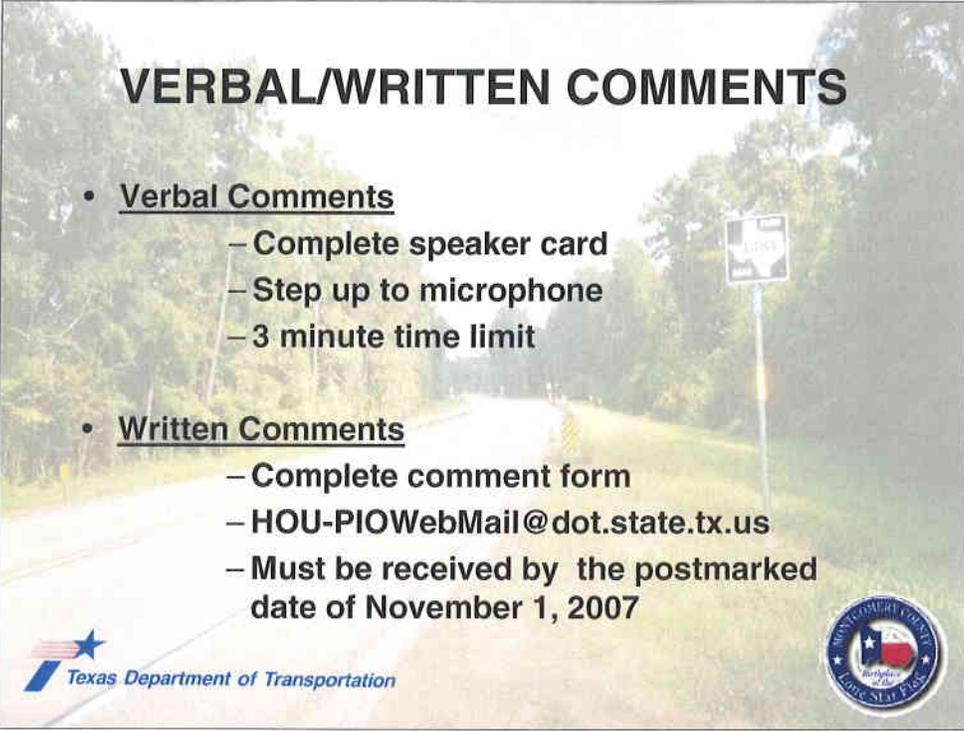
ON FILE AND AVAILABLE FOR REVIEW

- Montgomery County Transportation Program Office
520 N. San Jacinto
Conroe, Texas
- TxDOT Houston District Office
7721 Washington Avenue
Houston, Texas



Gabe Johnson:

As specified in the Public Hearing notices advertised in the various newspapers mentioned, the schematic layout showing the location and design, the draft environmental assessment, and other information related to the project are on file and available for public review at the **MONTGOMERY COUNTY TRANSPORTATION PROGRAM OFFICE** at 520 N. San Jacinto in Conroe, Texas and at **TXDOT'S HOUSTON DISTRICT OFFICE** located at 7721 Washington Avenue in Houston, Texas.



VERBAL/WRITTEN COMMENTS

- Verbal Comments
 - Complete speaker card
 - Step up to microphone
 - 3 minute time limit
- Written Comments
 - Complete comment form
 - HOU-PIOWebMail@dot.state.tx.us
 - Must be received by the postmarked date of November 1, 2007



Gabe Johnson:

You may make comments either in writing or verbally. Both written and verbal comments will be considered equally.

Those of you who wish to make verbal comments will need to complete a speaker registration card that was provided to you at the sign-in table. Please return these cards to the sign-in table prior to the public comment session. As mentioned, we do not answer questions during the presentations or comment period.

If you would like to comment, but do not wish to comment verbally tonight or if you wish to comment in more detail, you may submit a written comment form. The forms must be postmarked or emailed by November 1, 2007.

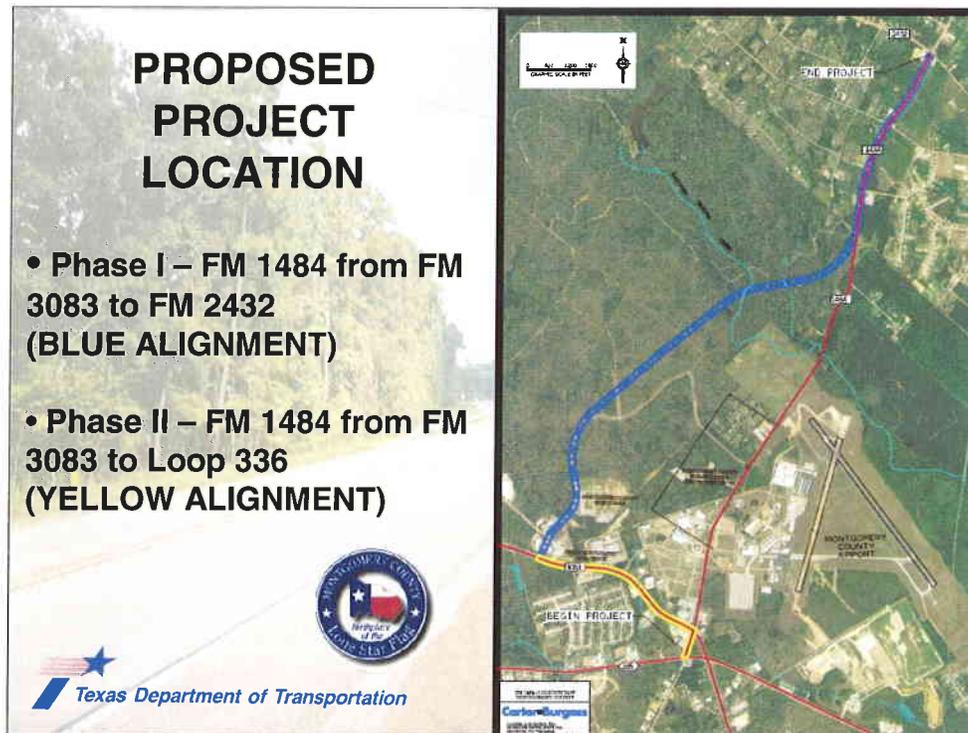
At this time, I would like to introduce Ms. Sandra Williams who will be presenting the project information to you this evening.



Sandra Williams:

Thank you, Mr. Johnson. Good Evening. My name is Sandra Williams and I am a part of the consultant team for the Montgomery County Transportation Program, responsible for managing the environmental efforts for this project.

Montgomery County and TxDOT is proposing to improve an approximate 3.6-mile segment of FM 1484 between Loop 336 and FM 2432 in Montgomery County, Texas as shown in this figure.



Sandra Williams:

- Proposed project construction would be conducted in two phases.
- The first phase of proposed construction project is located within the limits from FM 3083 to FM 2432, as shown in blue in this figure. The construction date for this portion of the project improvements is anticipated to occur in the Spring of 2008.
- The second phase of proposed project construction is located within the limits from FM 3083 to Loop 336, as shown in red outlined in yellow in this figure. The construction date for this phase of the project has not been determined.

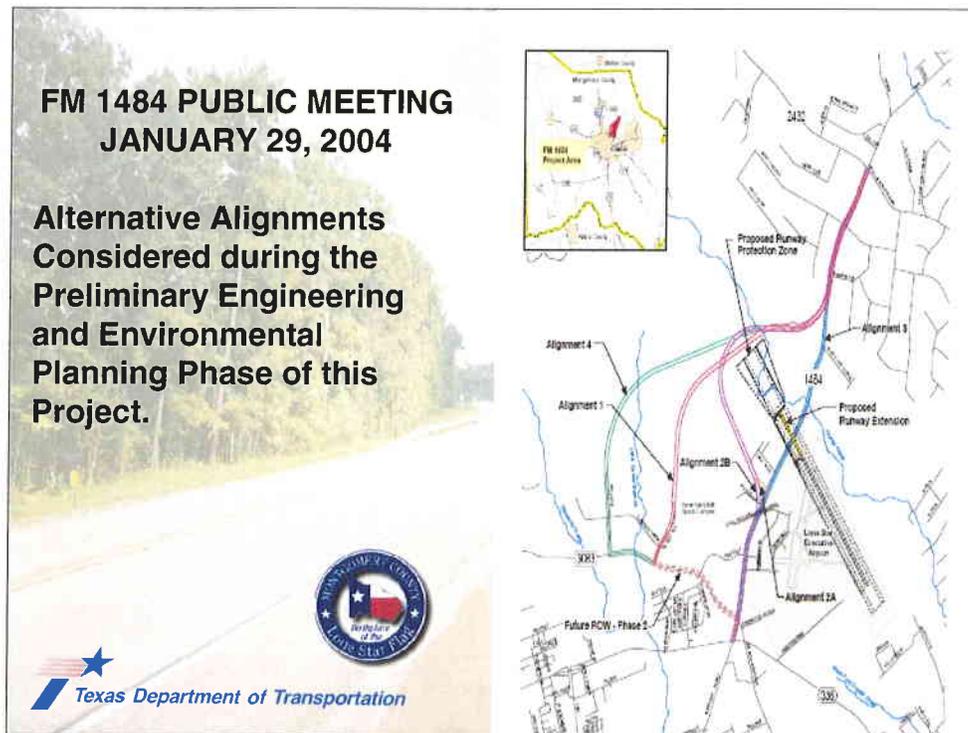
NEED AND PURPOSE

- Meet new design standards;
- Accommodate future traffic needs, which is anticipated to increase by 21% in 2010 and 61% in 2027
- Improve area-wide mobility, capacity, operation and accessibility;
- To avoid encroachment of the planned runway extension at the Lone Star Executive Airport.



Sandra Williams:

The project is needed to meet new design standards, to accommodate future traffic needs, which is anticipated to increase by 21% in 2010 and 61% in 2027, and to improve area-wide mobility, capacity, operation and accessibility. The proposed improvements to FM 1484 would also be needed to avoid encroachment into the protection zone of the planned runway extension at the Lone Star Executive Airport. The purpose of the proposed project is to expand the current two-lane roadway to a four-lane roadway with a continuous left turn lane thereby meeting these needs as specified.

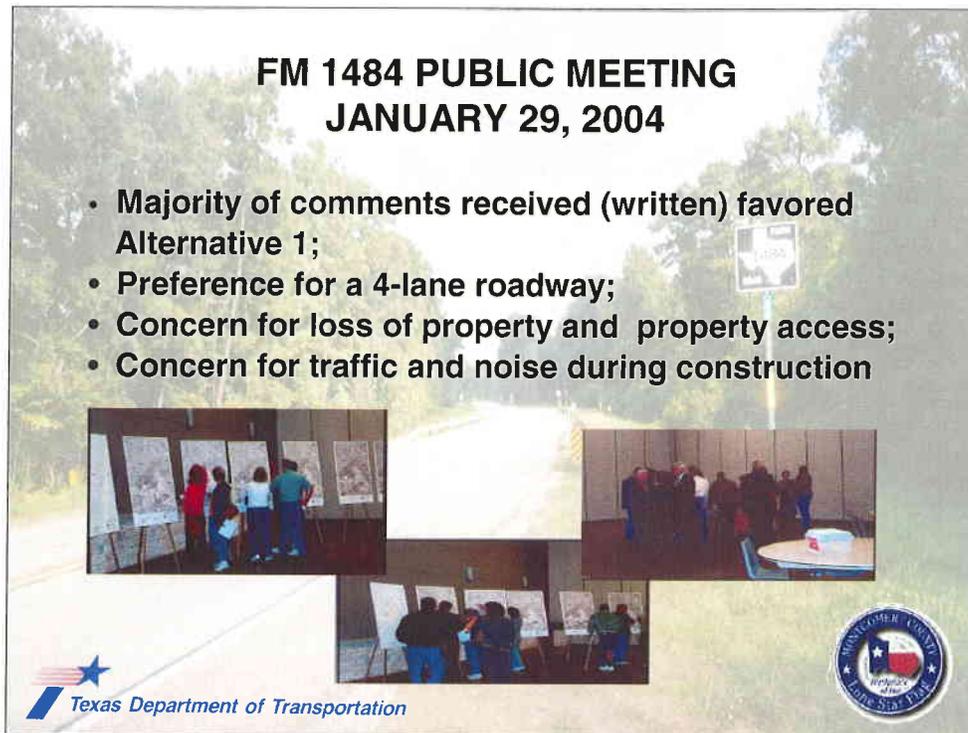


Sandra Williams:

On January 29, 2004, a public meeting, open house forum, was held. At this meeting TxDOT and Montgomery County presented four alternative alignments considered for the proposed improvements to FM 1484. Also discussed was the need and purpose of the project and major constraints to be considered during alternative development.

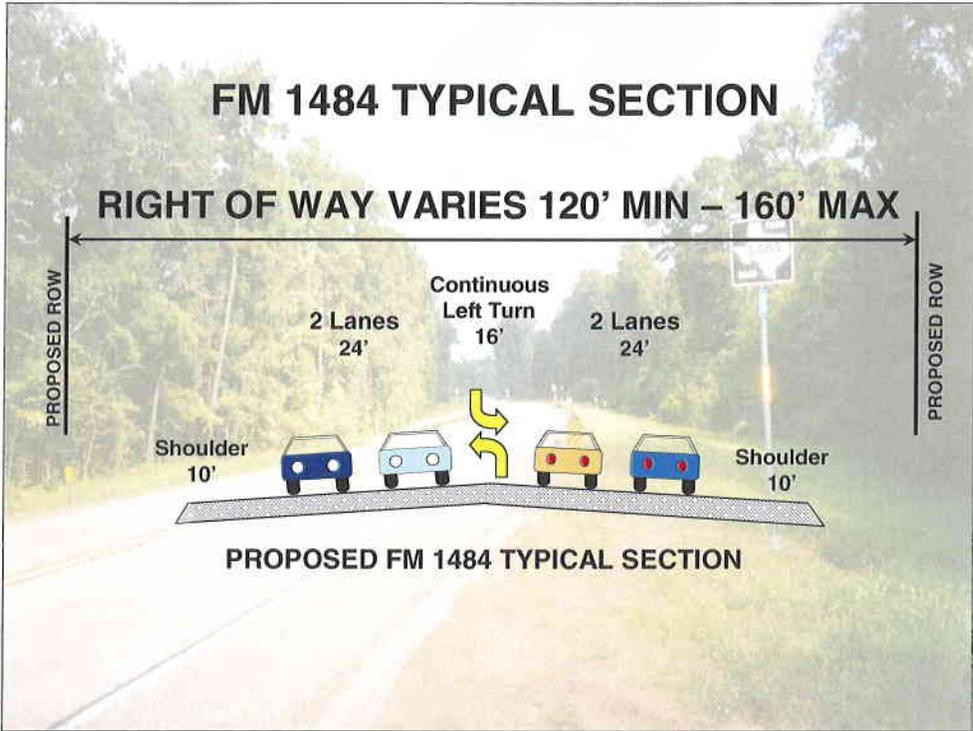
FM 1484 PUBLIC MEETING JANUARY 29, 2004

- Majority of comments received (written) favored Alternative 1;
- Preference for a 4-lane roadway;
- Concern for loss of property and property access;
- Concern for traffic and noise during construction



Sandra Williams:

- The majority of comments received during this meeting favored Alternative Alignment 1. Other comments received during the 2004 public meeting were concerns regarding loss of property, property access, and the issue of traffic and noise during construction. **Alternative Alignment 1** consist of building along a combination of the existing alignment of FM 3083 and TxDOT Road, on new location, and on the existing alignment of FM 1484
- All comments received during the 2004 meeting were taken into consideration during the planning stage and preliminary design for the project.
- The appropriate environmental studies have been completed and the project has received authority to go to the next step of project development which is this Public Hearing.



Sandra Williams:

The proposed typical section consist of a 16 foot continuous left turn lane, four 12 foot travel lanes (two in each direction), and 10 foot shoulders of either side of the roadway.

PROJECTED CONSTRUCTION COST & SCHEDULE

**FM 1484
CSJ 1417-01-026**

Project Limits: From FM 3083 to FM 2432 (Phase I)

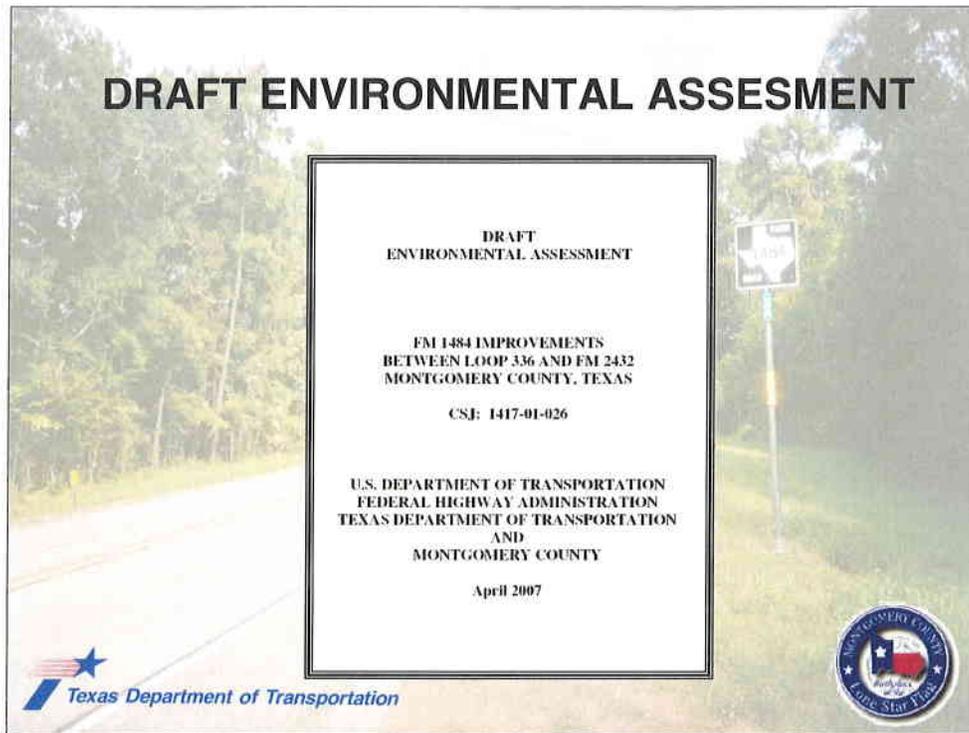
Estimated Construction Cost: 26 million dollars

Estimated Letting Date: Spring 2008



Sandra Williams:

The construction schedule for FM 1484 from FM 3083 to FM 2432 is anticipated to begin in the Spring of 2008. Estimated construction cost is 26 million dollars.



Sandra Williams:

A Draft Environmental Assessment has been prepared and has received preliminary approval for further processing from the Federal Highway Administration in July of this year, enabling us to hold this Public Hearing. We have copies of the document here this evening for your review at the comment tables.

Impacts Addressed

- **Natural Environment**
- **Social Environment**
- **Cultural Environment**
- **Air Quality**
- **Noise**
- **Parkland/Section 4(f)**
- **Indirect and Cumulative Impact**
- **Hazardous Materials and Solid Waste**
- **Airway-Highway Clearance**
- **Visual**

 Texas Department of Transportation



Sandra Williams:

The Draft Environmental Assessment addressed the potential environmental impacts identified during the engineering and design phase of the proposed project. These areas of potential impacts included natural, social, and cultural resources as well as potential impacts to adjacent and surrounding land use.

While several issues and resources identified in this slide will experience no adverse affects as a result of the proposed construction of the project and in some cases would be improved by the project, other resources will have varying impacts as a result of the proposed project.

Summary of Impacts

Right of Way Acquisition Impacts and Displacements

Acquisition of approximately 72 acres of right of way, which includes:

- Primarily of forested acreage;
- Small “corner clips” of business and residential
- Two business displacements
- No residential displacements



Sandra Williams:

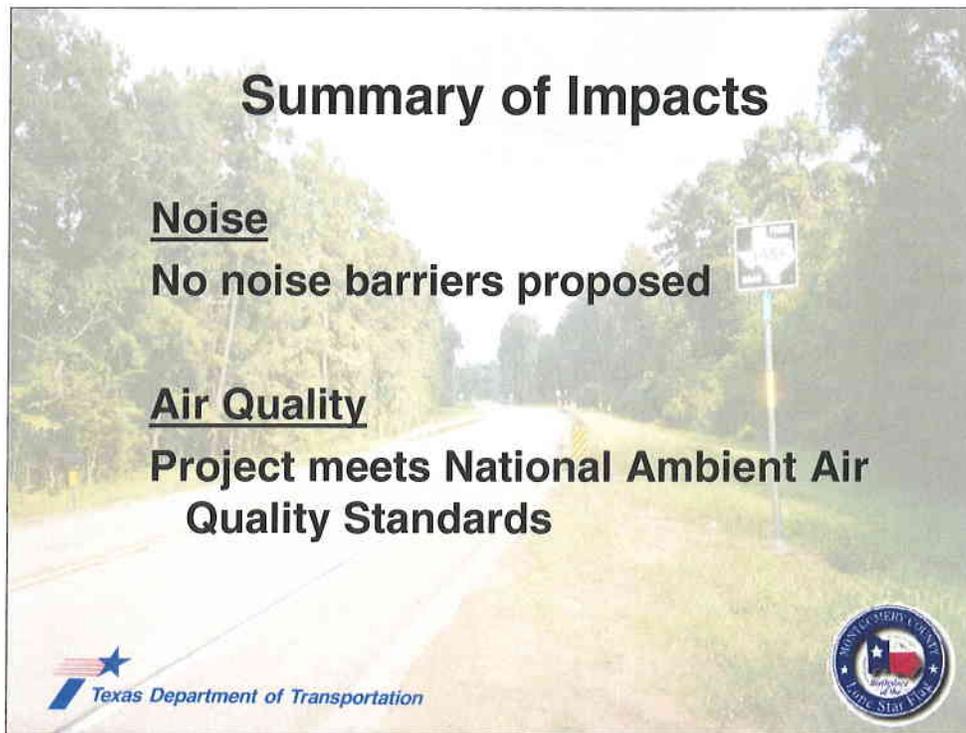
Potential displacements of portions of two business have been identified and will be further assessed during right of way acquisition. Small “corner clips” of businesses and residential properties may also be required. Montgomery County will be acquiring the right of way in accordance with state and federal procedures.

There are representatives here this evening at the right of way table that can assist you with information on the process that the County and TxDOT will follow for right of way acquisition. Brochures are also available that may provide additional information.



Sandra Williams:

The proposed project would cross Crystal Creek and 12 unnamed tributaries. The proposed project has been issued Nationwide Permits for linear transportation projects and Storm Water Management Facilities through the United States Corps of Engineers. Impacts to wetlands and waters of the U.S. will be mitigated by preserving 1.5 acres of riparian corridor along Spring Creek as a part of the Spring Creek Greenway Project established in Montgomery County.



Sandra Williams:

Construction of the proposed project would result in a traffic noise impact at two receivers identified as commercial businesses. Noise barriers would have a detrimental impact on these two businesses by restricting views and access of potential customers; therefore, no noise abatement measures are proposed for this project. No noise impacts to any residence located within the project area was determined.

No impacts to air quality are anticipated. The results of the air quality analysis indicate that the project is within the federal criteria for air standards.



Sandra Williams:

For hazardous materials, Implementation of the proposed project could potentially impact one gasoline dispensing facility. Further subsurface investigation will be required to ascertain the exact location of the underground storage tanks located at the property, which will need to be identified prior to construction.

For Airway-Highway Clearance, the proposed roadway improvements would include the realignment of FM 1484 to avoid encroachment into the protection zone of the Lone Star Executive Airport's planned runway extension.

For vegetation and wildlife, Implementation of the proposed project would likely require removal of existing vegetation communities within an approximately 77.5 acres of right of way, of which approximately 46 acres are forested, and would result in the loss of some riparian and wildlife habitat. However, the area within the proposed right of way is small in comparison to the many remaining acres of undeveloped land located adjacent to the proposed project boundaries.

ENVIRONMENTAL STUDIES

Agency Coordination

- Federal Aviation Administration
- U.S. Army Corps of Engineers
- U.S. Fish and Wildlife
- Texas Natural Resource Conservation Service
- Texas Parks & Wildlife Department
- Texas Commission on Environmental Quality
- Texas Historic Commission



Sandra Williams:

TxDOT has coordinated with many resource agencies through the environmental process. These agencies have provided review, input and concurrence on assessment of impacts and proposed mitigation.



Sandra Williams:

- The next step in the environmental process will be to prepare a comment and response report to address the verbal and written comments received at tonight's hearing and during the public comment period, which ends on November 1, 2007.
- A summary of the public hearing, and the comment and response report will be submitted to the Federal Highway Administration for review, as well as any changes as a result of tonight's hearing. The public hearing summary, and the comment and response report will be available upon request following the Federal Highway Administration's approval. You may send your request to the address listed on the agenda and comment forms.
- Following Federal Highway Administration's final review for the project, an approval of "A Finding of No Significant Impact", also referred to as a FONSI, is anticipated by this winter.
- Thank you for your attention. Now I'll turn it back over to Mr. Johnson.



Gabe Johnson:

Thank you. Now we will begin the public comment session.

Only registered speakers will be called upon. Please raise your hand if you would like to speak for the record tonight and have not completed a speaker registration card. Our staff has cards for you to fill out.

[STAFF DISTRIBUTE CARDS/PENS]



Gabe Johnson:

We will collect any additional speaker registration cards after we hear from our elected officials who are present tonight and wish to make a public comment.

I would like to recognize_____.

[CALL ELECTED OFFICIALS' NAMES IN ORDER]

Thank you.

COMMENT SESSIONS

- Verbal Comments
 - Complete speaker card
 - Step up to microphone
 - 3 minute time limit
- Written Comments
 - Place in comment box tonight
 - Postmark or email comments by November 1, 2007
 - HOU-PIOWebMail@dot.state.tx.us

Gabe Johnson:

At this time we will collect the remaining speaker registration cards.

[STAFF COLLECTS CARDS]

The purpose of this public comment session is to receive your comments on issues relevant to the project. Both written and verbal comments will be considered equally.

Verbal comments are limited to three minutes. We will not respond to questions during this time. TxDOT representatives and members of the consultant team will be available to answer your questions following the public comment session.

Written comments may be submitted here this evening in the comment boxes provided, via mail, or by email. To be included in the public record for tonight's meeting, written comments must be postmarked or emailed by November 1, 2007.

VERBAL COMMENT PERIOD

- Submit Speaker Registration Card
- Use Microphone in center aisle and face court reporter
- Please comment on issues relevant to the FM 1484 project
- Verbal Comments are limited to three (3) minutes
- Unused time may not be given to another speaker

SPEAKER REGISTRATION CARD Number _____
PLEASE PRINT

FM 1484 Public Hearing – October 18, 2007
I desire to make a verbal statement at this Public Hearing.

Name _____

(Representing) _____

Address _____

City _____ State _____ Zip _____

Speakers will be limited to 3 minutes for comments.




Gabe Johnson:

The names of speakers will be called in the order they were received. When your name is called, please move to the front row of the room, where there are several reserved seats.

Use the microphone in the front of the room and please face our court reporter, so that she can make an accurate record of your comments.

Please state your name for the record and whom you may represent.

A timed display on the screen will indicate the start of each speaker’s 3 minutes. The timer will count down your remaining time. When the clock is at zero, your speaking time is over. Once the 3 minute period is over, we ask that you allow the next speaker to present their comment. You will not be allowed to give unused time to another speaker.

The public session will adjourn after all who have registered to make verbal comments have been given the opportunity to speak.

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FM 1484 Public Hearing – October 18, 2007
I desire to make a verbal statement at this Public Hearing.

Name _____

(Representing) _____

Address _____

City _____ State _____ Zip _____

Speakers will be limited to 3 minutes for comments.




Gabe Johnson:

Speaker number 1 is _____, Speaker number 2 will be _____, Speaker number 3 will be _____.

[BEGIN VERBAL COMMENTS]

Thank you. The next three speakers are _____, _____, and _____.

[READ THE NEXT THREE SPEAKERS'S NAME, STAYING THREE SPEAKERS AHEAD TO ALLOW FOR SPEAKERS TO CUE UP IN THE FRONT ROW]

[END VERBAL COMMENTS]

And now if there are **no further comments**, we will now **close the hearing**. It is exactly ____ PM and the **hearing is adjourned**. **Thank you** .

EXHIBITS



WELCOME PUBLIC HEARING

**FM 1484 PROPOSED IMPROVEMENTS
BETWEEN LOOP 336 AND FM 2432
MONTGOMERY COUNTY, TEXAS**

October 18, 2007



VERBAL COMMENT PERIOD

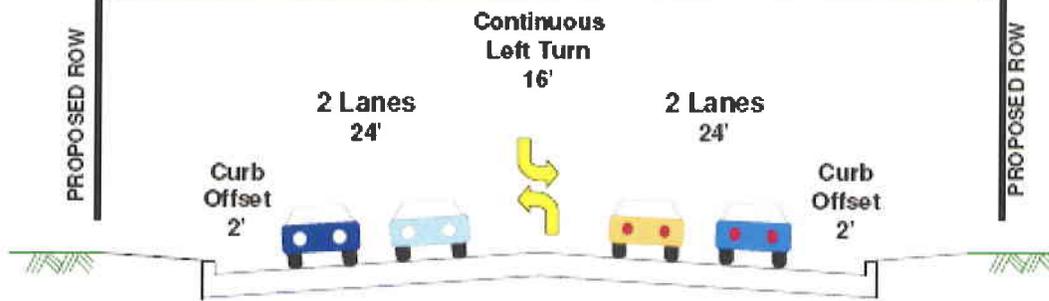
- Submit Speaker Registration Card
- Use Microphone in center aisle and face court reporter
- Please comment on issues relevant to the FM 1484 project
- Verbal Comments are limited to three (3) minutes
- Unused time may not be given to another speaker

SPEAKER REGISTRATION CARD		Number _____
PLEASE PRINT		
FM 1484 Public Hearing - October 18, 2007		
I desire to make a verbal comment at this Public Hearing.		
Name _____		
City/County/State _____		
Address _____		
City _____	State _____	Zip _____
Speakers will be limited to 3 minutes for comments.		



FM 1484 TYPICAL SECTION

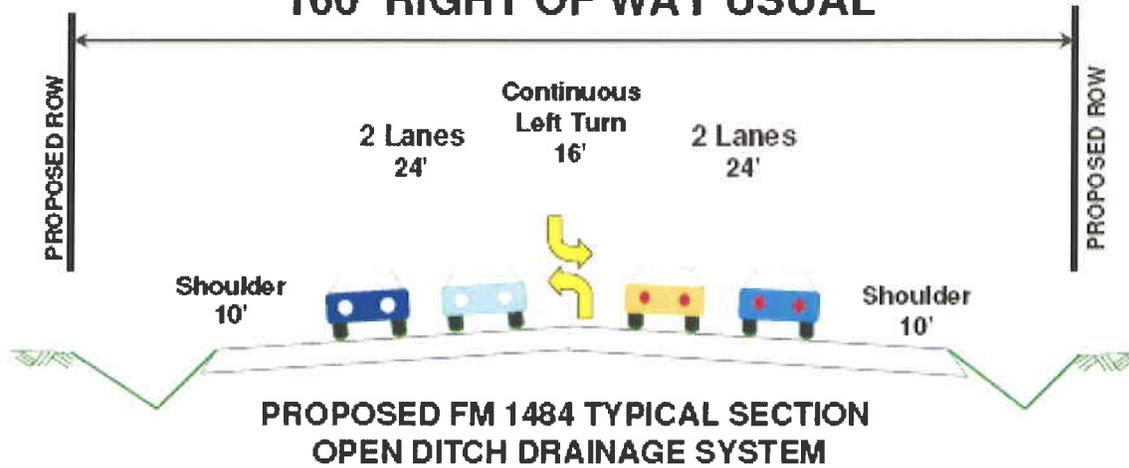
120' RIGHT OF WAY MINIMUM



PROPOSED FM 1484 TYPICAL SECTION
CURB AND GUTTER

FM 1484 TYPICAL SECTION

160' RIGHT OF WAY USUAL



SIGN-IN SHEETS

SPEAKER REGISTRATION CARD
PLEASE PRINT

Number 1

FM 1484 Public Hearing - October 18, 2007

I desire to make a verbal statement at this Public Hearing.

Stephen E. Van Buren
Name

Dudley of EMMA Van Buren
(Representing)

2008 Timberlock Pl. #550 The Wo.
Address

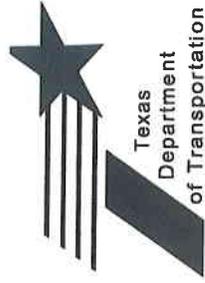
The Woodlands TX 77523
City State Zip

Speakers will be limited to 3 minutes for comments.

Public Meeting Sign-in Sheets

FM 1484 Proposed Improvements Between Loop 336 and FM 2432

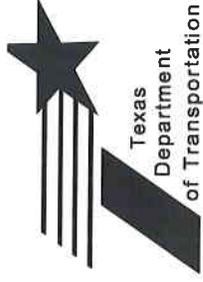
October 18, 2007, from 6:00 pm to 8:00 pm
 The Lonestar Convention & Expo Center
 9055 FM 1484, Conroe, Texas



Name	Mailing Address	City	Zip Code	Your Interest in this Project	How did you hear about this meeting - newspaper, direct mailing, website, other? (Please specify)
Jeanette Blakeway	10651 Champion Street Loop	Conroe	77303	Are you a: <input checked="" type="checkbox"/> Business and/or Property Owner <input checked="" type="checkbox"/> Work/Live Along the Corridor <input checked="" type="checkbox"/> Interested Party	INTERNET
John W. Blakeway	Same	Conroe	77303	Are you a: <input checked="" type="checkbox"/> Business and/or Property Owner <input checked="" type="checkbox"/> Work/Live Along the Corridor <input checked="" type="checkbox"/> Interested Party	INTERNET
Sandra Gresham	8953 Lantier Creek	Conroe	77303	Are you a: <input checked="" type="checkbox"/> Business and/or Property Owner <input checked="" type="checkbox"/> Work/Live Along the Corridor <input checked="" type="checkbox"/> Interested Party	Dockline mag INTERNET
MARK BOSME	301 N Thompson Suite 102	Conroe	77301	Are you a: <input type="checkbox"/> Business and/or Property Owner <input type="checkbox"/> Work/Live Along the Corridor <input type="checkbox"/> Interested Party	
James / Sonny Blawie	PO Box 1205	Willis	77378	Are you a: <input type="checkbox"/> Business and/or Property Owner <input type="checkbox"/> Work/Live Along the Corridor <input type="checkbox"/> Interested Party	Newspaper
Sob Sgarth	3110 SW Fry	Houston	77098	Are you a: <input checked="" type="checkbox"/> Business and/or Property Owner <input type="checkbox"/> Work/Live Along the Corridor <input type="checkbox"/> Interested Party	Mailing
Lee Derby	1521 FM 1484	Conroe	77303	Are you a: <input checked="" type="checkbox"/> Business and/or Property Owner <input type="checkbox"/> Work/Live Along the Corridor <input type="checkbox"/> Interested Party	Mailing
STEPHEN E. VAN BUREN	2008 Timberline Pln The Woodlands TX 77380 #550	The Woodlands	77380	Are you a: <input type="checkbox"/> Business and/or Property Owner <input type="checkbox"/> Work/Live Along the Corridor <input checked="" type="checkbox"/> Interested Party	D. O. Van Buren

Public Meeting Sign-in Sheets
FM 1484 Proposed Improvements Between Loop 336 and FM 2432

October 18, 2007, from 6:00 pm to 8:00 pm
 The Lonestar Convention & Expo Center
 9055 FM 1484, Conroe, Texas



Name	Mailing Address	City	Zip Code	Your Interest in this Project	How did you hear about this meeting - newspaper, direct mailing, website, other? (Please specify)
Arlid Oksemer	8930 N FRAZIER	CANDL	77303	Are you a: <input checked="" type="checkbox"/> Business and/or Property Owner <input type="checkbox"/> Work/Live Along the Corridor <input type="checkbox"/> Interested Party	
Humberto + Patricia Mancha	10680 Rustling Oaks	Conroe	77363	Are you a: <input checked="" type="checkbox"/> Business and/or Property Owner <input checked="" type="checkbox"/> Work/Live Along the Corridor <input type="checkbox"/> Interested Party	Mailing
D.O. + Mrs Van Buren				Are you a: <input checked="" type="checkbox"/> Business and/or Property Owner <input type="checkbox"/> Work/Live Along the Corridor <input type="checkbox"/> Interested Party	
Jhon + Beatriz Castro				Are you a: <input type="checkbox"/> Business and/or Property Owner <input checked="" type="checkbox"/> Work/Live Along the Corridor <input type="checkbox"/> Interested Party	
John Bailey	14300 Kelly Rd	Conroe	77303	Are you a: <input checked="" type="checkbox"/> Business and/or Property Owner <input checked="" type="checkbox"/> Work/Live Along the Corridor <input type="checkbox"/> Interested Party	
Juan Castro	10617 Rustling Oaks	Conroe	77303	Are you a: <input type="checkbox"/> Business and/or Property Owner <input checked="" type="checkbox"/> Work/Live Along the Corridor <input type="checkbox"/> Interested Party	
Stephen Dantzler	2211 Middle Creek Dr.	Kingwood	77339	Are you a: <input type="checkbox"/> Business and/or Property Owner <input type="checkbox"/> Work/Live Along the Corridor <input checked="" type="checkbox"/> Interested Party	
				Are you a: <input type="checkbox"/> Business and/or Property Owner <input type="checkbox"/> Work/Live Along the Corridor <input type="checkbox"/> Interested Party	



FM 1484: Between Loop 336 and FM 2432
 Montgomery County, Texas
 Lone Star Convention and Expo Center
 October 18, 2007



FM 1484 PUBLIC HEARING
ELECTED OFFICIALS
 SIGN-IN SHEET

Print Name	Mailing Address	Affiliation	Check <input checked="" type="checkbox"/> if you want to speak
MIKE MEADOR	PO Box 923 Willis, TX 77378	Aust Co.	

PHOTOGRAPHS















TRANSCRIPT

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IN THE MATTER OF A PUBLIC HEARING
ON THE
FM 1484 PROPOSED IMPROVEMENTS
BETWEEN LOOP 336 AND FM 2432
MONTGOMERY COUNTY, TEXAS

Date: October 18, 2007

Place: The Lone Star Convention & Expo Center
9055 FM 1484
Conroe, Texas

.....
REPORTED BY: Mary C. Dopico, CSR, RPR, CRR
The Captioning Company
P.O. Box 441179
Houston, Texas 77244-1179
Phone: 281/684-8973
Fax 281/347-2881

1 P R O C E E D I N G S
2

3 MR. JOHNSON: Okay, folks. Let's be
4 seated and good evening. My name is Gabe Johnson.
5 And I'm a Director of Transportation Planning and
6 Development for the Texas Department of
7 Transportation, Houston District. On behalf of the
8 Federal Highway Administration, TxDOT and Montgomery
9 County, we welcome you to this public hearing.

10 Before we continue with tonight's
11 hearing, please allow me to extend our appreciation
12 to Lone Star Convention and Expo Center for the use
13 of their facility to conduct this hearing.

14 Today's date is October 18, 2007, and
15 the time is 7:00 p.m. The purpose of this public
16 hearing is to present the proposed project design and
17 results of the environmental studies for this project
18 for the improvements to FM 1484 between Loop 336 and
19 FM 2432, gather any input, comments and/or
20 suggestions that you might have regarding these
21 plans, thereby meeting the requirements of Chapters
22 26 and 27 of the Texas Administrative Code.

23 This public hearing is being recorded
24 by a certified court reporter for the formal public
25 record.

1 You may have noticed the sign-in
2 tables as you walked into the building this evening;
3 and if you haven't already done so, please sign in
4 before you leave tonight. The sign-in sheets allows
5 us to record tonight's participation, and gives you
6 the opportunity to be added to the project mailing
7 list.

8 Also available at the sign-in tables
9 are handouts which include project information and a
10 comment form for you to use at tonight's hearing.
11 Speaker registration cards are also provided at the
12 sign-in table for those who wish to make a verbal
13 comment during this public hearing.

14 The public comment session will follow
15 tonight's presentation. We will not answer questions
16 during the presentation or public comment session,
17 but we will be available to answer your questions
18 following the comment session.

19 Please feel free to view the exhibits
20 on display at tonight's public hearing. They will be
21 available until all the public comments are heard and
22 we will adjourn at that time.

23 At this point, I would like to
24 recognize elected officials that are in attendance
25 tonight, and Commissioner Mike Meador, with

1 Montgomery County. Thank you, Commissioner.

2 If there are any other elected
3 officials that I haven't called their name, please
4 raise your hand.

5 (No response.)

6 MR. JOHNSON: Thank you.

7 Notices of this public hearing were
8 advertised in THE HOUSTON CHRONICLE, THE HOUSTON
9 CHRONICLE's community newspaper distributed in
10 Montgomery County, and THE CONROE COURIER.

11 As specified in the public hearing
12 notices advertised in the various newspapers
13 mentioned, the schematic layout showing the location
14 and design, the draft environmental assessment, and
15 other information related to the project are on file
16 and available for public review at the Montgomery
17 County Transportation Program Office at 520 North San
18 Jacinto in Conroe, Texas and at TxDOT's Houston
19 District Office located at 7721 Washington Avenue in
20 Houston, Texas.

21 You may make comments either in
22 writing or verbally. Both written and verbal
23 comments will be considered equally. Those of you
24 who wish to make verbal comments will need to
25 complete a speaker registration card that was

1 provided to you at the sign-in table. Please return
2 these cards to the sign-in table prior to the public
3 comment session.

4 As mentioned, we do not answer
5 questions during the presentation or comment period.
6 If you would like to comment, but do not wish to
7 comment verbally tonight, or if you wish to comment
8 in more detail, you may submit a written comment
9 form. The forms must be postmarked or e-mailed by
10 November 1st, 2007.

11 At this time, I would like to
12 introduce Ms. Sandra Williams who will be presenting
13 the project information and design to you this
14 evening.

15 Sandra.

16 MS. WILLIAMS: Thank you, Mr. Johnson.

17 Good evening. My name is Sandra
18 Williams, and I'm a part of the consulting team for
19 the Montgomery County Transportation Program
20 responsible for managing the environmental efforts of
21 this project.

22 Montgomery County and TxDOT's
23 proposing to improve an approximate 3.6 mile segment
24 of FM 2484 between Loop 336 and FM 2432 in Montgomery
25 County, Texas, as shown in this figure.

1 The proposed project construction
2 would be conducted in two phases. The first phase of
3 the proposed construction project is located within
4 the limits from FM 3083 and FM 2432, as shown in blue
5 in this figure. The construction date for this
6 portion of the project improvements is anticipated to
7 occur in the spring of 2008.

8 The second phase of the proposed
9 project construction is located within the limits
10 from FM 3083 to Loop 336 as shown in red outlined in
11 yellow in this figure. The construction date for
12 this phase of the project has not been determined.

13 The project is needed to meet new
14 design standards, to accommodate future traffic
15 needs, which is anticipated to increase by 21 percent
16 in 2010 and 61 percent by 2027, and to improve
17 area-wide mobility, capacity, operation, and
18 accessibility.

19 The proposed improvements to FM 1484
20 would also be needed to avoid encroachment into the
21 protection zone of the planned runway extension at
22 the Lone Star Executive Airport. The purpose of the
23 proposed project is to expand the current two-lane
24 roadway to a four-lane roadway with a continuous
25 left-turn lane, thereby meeting these needs as

1 specified.

2 On January 29th, 2004, a public
3 meeting, open house forum, was held. At this meeting
4 TxDOT and Montgomery County presented four
5 alternative alignments considered for the proposed
6 improvements to FM 1484. Also discussed was the need
7 and purpose of the project and major constraints to
8 be considered during alternative development. The
9 majority of comments received during this meeting
10 favored Alternative Alignment 1. Other comments
11 received during the 2004 public meeting were concerns
12 regarding loss of property, property access, and the
13 issues of traffic and noise during construction.

14 Alternative Alignment 1 consists of
15 building along a combination of the existing
16 alignment of FM 3083 and TxDOT Road and on new
17 location -- on new location, and on the existing
18 alignment of FM 1484.

19 All comments received during the 2004
20 meeting were taken into consideration during the
21 planning stage and preliminary design of the project.

22 The appropriate environmental studies
23 have been completed and the project has received
24 authority to go to the next step of the project
25 development which is this public hearing.

1 The proposed typical section consists
2 of a 16-foot continuous left-turn lane, four 12-foot
3 travel lanes, two in each direction, and 10-foot
4 shoulders on either side of the roadway.

5 The construction schedule of FM 1484
6 from FM 3083 to FM 2432 is anticipated to begin in
7 the spring of 2008. Estimated construction cost is
8 \$26 million.

9 A Draft Environmental Assessment has
10 been prepared and has received preliminary approval
11 for further processing from the Federal Highway
12 Administration in July of this year, enabling us to
13 hold this public hearing. We have copies of the
14 document here this evening for your review at the
15 sign-in table.

16 The Draft Environmental Assessment
17 addressed the potential environmental impacts
18 identified during the engineering and design phase of
19 the proposed project. These areas of potential
20 impact included natural, social, and cultural
21 resources as well as potential impacts to adjacent
22 and surrounding land use.

23 While several issues and resources
24 identified in this slide will experience no adverse
25 effects as a result of the proposed construction of

1 the project, and in some cases would be improved by
2 the project, other resources will have varying
3 impacts as a result of the proposed project.

4 Potential displacement of portions of
5 two businesses have been identified and will be
6 further assessed during right of way acquisition.
7 Small "corner clips" of businesses and residential
8 properties may also be required. Montgomery County
9 would be acquiring the right of way in accordance
10 with the state and federal procedures.

11 There are representatives here this
12 evening at the right of way table that can assist you
13 with information on the process that the county and
14 TxDOT will follow for right of way acquisition.
15 Brochures are also available that may provide
16 additional information.

17 The proposed project would cross
18 Crystal Creek and 12 unnamed tributaries. The
19 proposed project has been issued nationwide permits
20 for linear transportation projects and storm water
21 management facilities through the United States Corps
22 of Engineers. The impacts to wetlands and waters of
23 the U.S. will be mitigated by preserving 1.5 acres of
24 riparian corridor along Spring Creek as a part of the
25 Spring Creek Greenway Project established in

1 Montgomery County.

2 Construction of the proposed project
3 will result in a traffic noise impact at two
4 receivers identified as commercial businesses. Noise
5 barriers would have a detrimental impact to these two
6 businesses by restricting views and access of
7 potential customers; therefore, no noise abatement
8 measures are proposed for this project. No noise
9 impacts to any residents located within the project
10 area was determined.

11 No impacts to air quality are
12 anticipated. The results of the air quality analysis
13 indicated that the project is within the federal
14 criteria for air standards.

15 For hazardous materials,
16 implementation of the proposed project could
17 potentially impact one gasoline dispensing facility.
18 Further subsurface investigation will be required to
19 ascertain the exact location of the underground
20 storage tanks located at that property, which will
21 need to be identified prior to construction.

22 For Airway-Highway Clearance, the
23 proposed roadway improvements would include the
24 realignment of FM 1484 to avoid encroachment into the
25 protection zone of the Lone Star Executive Airport's

1 planned runway extension.

2 For vegetation and wildlife,
3 implementation of the proposed project would likely
4 require removal of existing vegetation communities
5 within approximately 77.5 acres of right of way, of
6 which approximately 46 acres are forested and would
7 result in the loss of some riparian and wildlife
8 habitat. However, the area within the proposed right
9 of way is small in comparison to the many remaining
10 acres of undeveloped land located adjacent to the
11 proposed project boundaries.

12 TxDOT has coordinated with many
13 resource agencies through the environmental process.
14 These agencies have provided review, input,
15 concurrence on assessment of proposed impacts of
16 proposed mitigation.

17 The next step in the environmental
18 process will be to prepare a comment and response
19 report to address the verbal and written comments
20 received at tonight's hearing and during the public
21 comment period which ends on November 1st, 2007.

22 A summary of the public hearing and
23 the comment and response report will be submitted to
24 the Federal Highway Administration for review as well
25 as any changes as a result of tonight's hearing. The

1 public hearing summary and the comment and response
2 report will be available upon request following the
3 Federal Highway Administration's approval. You may
4 send your request to the address listed on the agenda
5 and comment forms.

6 Following the Federal Highway
7 Administration's final review for the project, an
8 approval of a "Finding of No Significant Impact,"
9 also referred to as a FONSI, is anticipated to occur
10 by this winter.

11 Thank you for your attention. Now
12 I'll turn it back over to Mr. Johnson.

13 MR. JOHNSON: Thank you, Ms. Williams.

14 Now, we will begin the public comment
15 session. Only registered speakers will be called
16 upon. Please raise your hand if you would like to
17 speak for the record tonight and have not completed a
18 speaker registration card. Our staff has cards for
19 you to fill out.

20 Anybody? We will collect any
21 additional speaker registration cards after we hear
22 from our elected officials who are present tonight
23 and wish to make public comment -- if there is
24 anybody -- any elected official is interested to
25 speak.

1 (No response.)

2 MR. JOHNSON: Thank you.

3 At this time we will collect the
4 remaining speaker cards. Last chance. It sounds
5 like I'm encouraging you, but I'm just giving you
6 additional you opportunity.

7 The purpose of this public comment
8 session is to receive your comments on the issues
9 relevant to this project.

10 Both written and verbal comments will
11 be considered equally. Verbal comments are limited
12 to three minutes.

13 We will not respond to questions
14 during this time. TxDOT representatives and the
15 members of the consultant team will be available to
16 answer your questions following the public comment
17 session.

18 Written comments may be submitted here
19 this evening in the comment boxes provided, via mail
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21 tonight's meeting. Written comments must be
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23 Names of the speakers will be called
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5 Please state your name for the record
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9 time. When the clock is at zero, your speaking time
10 is over.

11 Once the three-minute period is over,
12 we will ask you if you will allow the next speaker to
13 present their comments. You will not be allowed to
14 give unused time to another speaker.

15 The public session will adjourn after
16 all who have registered to make verbal comments have
17 been given the opportunity to speak.

18 At this time, unless there is any
19 other speaker that wishes to sign up and fill out the
20 card, I have one card, and it's Mr. Steven Van Buren.
21 If you would come to the front, please. There is a
22 microphone.

23 MR. VAN BUREN: Thank you. In fact,
24 I'll put this here if I may. My name is Steve
25 Van Buren. I am here on behalf of Dudley and Emma

1 Van Buren, residents -- In fact, if you look at this
2 picture, this picture was taken from their driveway.
3 That will give you a little bit of perspective. And
4 my comments are really addressed in two parts. One
5 to the Texas Department of Transportation. And I
6 would like to say thank you for the opportunity to
7 have this discussion.

8 I would also like to address some
9 comments -- Part of these comments will also be
10 appropriate, I think, for the commissioner, if I may
11 also, so I'll take that time.

12 There is a -- a safety issue, public
13 safety issue, which I would appreciate if the Texas
14 Department of Transportation would consider as they
15 do this project. The -- If you look at where the
16 approximate cutoff point is on the south portion of
17 1484, there is an area that's going to be about six
18 to eight-tenths of a mile long, where some residents
19 are presently on there that are also affected by the
20 creek, this Crystal Creek that's right here by the
21 bridge. In fact, my parents are directly affected by
22 it.

23 They're not opposed to the airport by
24 any means. In fact, they moved to be close to the
25 airport. My dad has been a pilot most of his life.

1 But this creek has flooded twice in the last 15
2 years, making it impossible to go north across that
3 bridge. In fact the only access out was southward.

4 I would like Texas Department of
5 Transportation to consider that aspect of safety as
6 they look at this road and the development of this or
7 the rerouting of it, and potentially even looking at
8 how access can be granted the opposite direction on
9 that creek so that the people there are not trapped
10 if in fact something does occur again or flooding
11 does occur.

12 Same issue you have with possibly
13 access for fire department and ambulance or emergency
14 vehicles, to try to maybe provide some form of an
15 access point, rather than having to go on down
16 further to where the road first starts. Since it
17 will not be a limited access road, there should not
18 be an issue with that.

19 Lastly, I would -- to the
20 commissioner -- again address an issue that while
21 the Texas Department of Transportation says that
22 there is no residential displacements, there are
23 going to be some residential disadvantages and some
24 diminution of property values related to the people
25 that no longer have ready access to the main highway,

1 to transportation issues, to access, egress and
2 ingress from their property to all the conveniences
3 that we normally -- that we normally achieve. So I
4 would like to ask the commissioner to maybe bring
5 this up to the county commission with respect to
6 this.

7 Thank you. That's all.

8 MR. JOHNSON: Thank you, sir. Thank
9 you for your comments.

10 And since now there is no more
11 speakers signed up, we will now close the hearing.

12 It is exactly 7:20 p.m. and the
13 hearing is adjourned.

14 Thank you for your interest and
15 participation.

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18 (The proceedings concluded at 7:21 p.m.)

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1 THE STATE OF TEXAS:

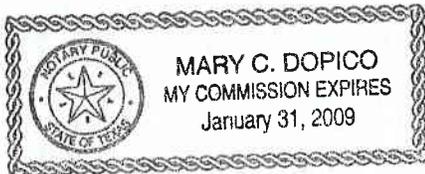
2 COUNTY OF GALVESTON:

3 I, Mary C. Dopico, Certified Shorthand Reporter
4 in and for the State of Texas, do hereby certify that
5 the facts stated by me in the caption to the above
6 and foregoing proceedings are true; that the
7 foregoing proceedings were taken by me in machine
8 shorthand and later transcribed from my shorthand
9 notes to typewritten form by me.

10 I further certify that the above and foregoing
11 proceedings, as set forth in typewriting, are a full,
12 true and correct transcript of the proceedings had at
13 the time of taking said proceedings.

14 I further certify that I am neither attorney or
15 counsel for, nor related to or employed by any of the
16 parties to the action in which these proceedings are
17 being taken, and further that I am not a relative or
18 employee of any attorney or counsel employed by the
19 parties hereto, or financially interested in the
20 action.

21 GIVEN UNDER MY HAND AND SEAL OF OFFICE this the
22 29th day of October, 2007.



Mary C. Dopico

Mary C. Dopico, CSR, RPR, CRR
CSR No. 463, Expires 12/31/2008
Notary Public, State of Texas
Commission expires 1/31/2009

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