

TEXAS TRANSPORTATION COMMISSION

Various Counties

MINUTE ORDER

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Various Districts

Transportation Code, §201.206, authorizes the Texas Department of Transportation (department) to accept a donation in any form, including realty, personalty, money, materials, and services, for the purpose of carrying out its functions and duties. Government Code, Chapter 575, requires the governing board of a state agency to acknowledge the acceptance of a donation valued at \$500 or more by majority vote at an open meeting, not later than the 90th day after the date the donation is accepted. It also prohibits a state agency from accepting a donation from a person who is a party to a contested case before the agency until the 30th day after the date the decision in the case becomes final.

The Texas Transportation Commission (commission) has adopted 43 TAC §§1.500-1.506, which relate to the department’s acceptance of donations. Section 1.503 authorizes the executive director to approve acceptance of donations to the department and requires that donations valued at \$500 or more must be acknowledged by order of the commission not later than the 90th day after the date the donation is accepted by the department. It further prohibits acceptance of a gift or donation when the donor is subject to department regulation or oversight or when the donor is interested in or likely to become interested in any contract, purchase, payment, or claim with or against the department, except as provided by that section. It also provides that the executive director may approve the acceptance of a donation, notwithstanding the foregoing proscriptions in the rules, if the executive director determines that acceptance would provide a significant public benefit and would not influence or reasonably appear to influence the department in the performance of its duties.

Transportation Code, §223.049 authorizes the department to contract with an owner of land adjacent to a highway that is part of the state highway system to construct an improvement on the highway right of way that is directly related to improving access to or from the owner's land. Exhibit A lists donations resulting from a contract executed by the department under Transportation Code, §223.049 and other donations accepted under Transportation Code, §201.206.

The department also acquires by donation land used for highway improvement projects. Exhibit B lists property donated to the department for that purpose. The department has determined that acceptance of these donations is in the best interest and welfare of the traveling public and will provide a significant public benefit.

The commission established the Sponsorship Acknowledgement Program under 43 TAC Chapter 12, Subchapter K. The program, which is authorized by the Federal Highway Administration in FHWA Order 5610.1A, allows the department to place signs acknowledging donations made to the department to fund transportation related services. Exhibit C lists donations made to the department under the Sponsorship Acknowledgement Program.

The executive director has determined that the donations identified in the attached exhibits comply with the applicable provisions of 43 TAC §§1.500-1.506, 43 TAC §12.353, Government Code, Chapter 575 and Transportation Code, §201.206, §223.049 and §224.001, and has approved acceptance of those donations. All required donation agreements have been executed under 43 TAC §1.504 and §1.506, as applicable

IT IS THEREFORE ORDERED by the commission that it acknowledges the acceptance of the donations identified in the attached Exhibits A, B, and C.

Submitted and reviewed by:

Recommended by:

DocuSigned by: Kenneth Stewart
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Director, Contract Services Division

DocuSigned by: M. D. Willis
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Executive Director

116204 February 23, 2022

Minute Date
Number Passed

**EXHIBIT A
DONATIONS
February 23, 2022**

NO.	DONOR	D/D/O	COUNTY	DESCRIPTION	DOLLAR AMOUNT	DATE APPROVED
1.	42 Bryan, LP	Bryan District	Brazos	The donor is donating design and construction of a left turn lane and associated widening and striping on SH 6 southbound frontage road into the donor's property located in Brazos County, Texas. All design and construction work will be provided by the donor, its consultant, or its contractor. The estimated value of the donation is \$31,000.00, which includes payment for all state direct costs associated with the review, oversight, and inspection of the work that is on the state right of way	\$31,000.00	1/28/2022
2.	American Institute of Steel Construction	Materials and Tests Division	N/A	The donor is donating registration fees and travel expenses, to include meals and lodging, for Johnnie Miller to attend and participate as a speaker at the American Welding Society/American Institute of Steel Construction Inspection Expo & Conference 2022 being held in Fort Worth, Texas on February 23-25, 2022. The donor will reimburse actual costs to TxDOT. The estimated value of the donation is \$920.00.	\$920.00	1/06/2022
3.	Arif-Sekhoun Properties Inc.	Houston District	Waller	The donor is donating design and construction of re-striping and associated pavement markings on an existing deceleration lane from eastbound US 290 into the 5-acre commercial development in Hempstead, Waller County, Texas. All design and construction work will be provided by the donor, its consultant, or its contractor. The estimated value of the donation is \$5,000.00.	\$5,000.00	1/19/2022
4.	Ashton Austin Residential L.L.C.	Austin District	Hays	The donor is donating design and construction of traffic signal and roadway improvements at the new intersection on US 290 for the Cannon Ranch subdivision in Dripping Springs, Hays County, Texas. All design and construction work will be provided by the donor, its consultant, or its contractor. The estimated value of the donation is \$320,000.00, which includes payment for all state direct costs associated with the review, oversight, and inspection of the work that is on the state right of way.	\$320,000.00	1/05/2022

NO.	DONOR	D/D/O	COUNTY	DESCRIPTION	DOLLAR AMOUNT	DATE APPROVED
5.	Association of Modified Asphalt Producers	Atlanta District	N/A	The donor is donating registration fees and lodging expenses for District Engineer, Jere Williams to attend and participate as a speaker at the 2022 Association of Modified Asphalt Producers Annual Conference being held in Houston Texas on February 1-3, 2022. The donor will reimburse the registration fees to TxDOT, and the lodging will be directly paid by the donor. The estimated value of the donation is \$1,200.00.	\$1,200.00	1/27/2022
6.	Big C Land Development, L.L.C.	Waco District	McLennan	The donor is donating design and construction of creating a northbound left turn lane on FM 2837 approximately 1500' south of Chapel Road in McLennan County, Texas. All design and construction work will be provided by the donor, its consultant, or its contractor. The estimated value of the donation is \$230,000.00.	\$230,000.00	2/01/2022
7.	Bryan Burke Holdings, LLC	Waco District	Bell	The donor is donating design and construction for a concrete entry on FM 317 into the donor's development in Temple, Bell County, Texas. The work includes new striping on FM 317 to comply with TxDOT's requirements. All design and construction work will be provided by the donor, its consultant, or its contractor. The estimated value of the donation is \$18,000.00.	\$18,000.00.	1/14/2022
8.	CenterPoint Energy, Inc.	Traffic Safety Division	Harris	The donor is donating a fixed sum of \$23,199.95 to design, fabricate, and install two memorial highway designation signs on the portion of SH 288 between the Cleburne Street exit and Beltway 8, designated as the Barbara Jordan Memorial Parkway within Harris County, Texas. The design, fabrication, and installation of the signs will be performed by the state.	\$23,199.95	1/12/2022
9.	Century Land Holdings of Texas, LLC	Houston District	Fort Bend	The donor is donating design and construction of a left turn lane and right turn lane from westbound and eastbound FM 359 into the Polo Ranch development in Fulshear, Fort Bend County, Texas. All design and construction work will be provided by the donor, its consultant, or its contractor. The estimated value of the donation is \$380,000.00.	\$380,000.00	1/27/2022

NO.	DONOR	D/D/O	COUNTY	DESCRIPTION	DOLLAR AMOUNT	DATE APPROVED
10.	Clay Morgan Investments LLC	Austin District	Caldwell	The donor is donating design and construction of center and right deceleration lanes on FM 1854 from 0.1 miles south of Highland Ranch Way to 0.5 miles south of Highland Ranch Way in Dale, Caldwell County, Texas. All design and construction work will be provided by the donor, its consultant, or its contractor. The estimated value of the donation is \$310,000.00, which includes payment for all state direct costs associated with the review, oversight, and inspection of the work that is on the state right of way.	\$310,000.00	1/19/2022
11.	Continental Homes of Texas, L.P.	Austin District	Travis	The donor is donating design and construction of re-striping on FM 973 to include 1) a new traffic signal; 2) a pedestrian signal; 3) northbound right turn lane; and 4) a crosswalk with curb ramps along FM 973 and Johnson Road in Manor, Travis County, Texas. All design and construction will be provided by the donor, its consultant, or its contractor. The estimated value of the donation is \$430,000.00, which includes payment for all state direct costs associated with the review, oversight, and inspection of the work that is on the state right of way.	\$430,000.00	1/07/2022
12.	Dilworth SWD, LLC	Yoakum District	Gonzales	The donor is donating an amount sufficient to install four flashing edge lit signs near the donor's driveways. The state will install two flashing edge lit signs at 5305 US Hwy 90A W in Shiner, Lavaca County, Texas and two flashing edge lit signs at 2462 FM 2091 N, Gonzales, Gonzales County, Texas. The signs will be installed by TxDOT. The estimated value of the donation is \$8,000.00.	\$8,000.00	12/28/2021
13.	D.R. Horton - Texas, Ltd.	Houston District	Fort Bend	The donor is donating design and construction of roadway widening of FM 521 with turn lanes and traffic signal at the intersection of FM 521 and Sienna Point Drive/Future Caldwell Ranch Blvd. from northbound and southbound FM 521 into the Caldwell Ranch development in Arcola, Fort Bend County, Texas. All design and construction work will be provided by the donor, its consultant, or its contractor. The estimated value of the donation is \$1,300,000.00.	\$1,300,000.00	1/27/2022

NO.	DONOR	D/D/O	COUNTY	DESCRIPTION	DOLLAR AMOUNT	DATE APPROVED
14.	Green Realty Ventures, LLC	Houston District	Galveston	The donor is donating design and construction of a deceleration lane from eastbound FM 518 into the 2.63-acre commercial development in League City, Galveston County, Texas. All design and construction work will be provided by the donor, its consultant, or its contractor. The estimated value of the donation is \$75,000.00.	\$75,000.00	1/22/2022
15.	Heart of Texas Goodwill Industries, Inc.	Waco District	Bell	The donor is donating design and construction of installing a concrete sidewalk and reinforced concrete pipe to connect the site's detention basin outfall to the existing TxDOT storm sewer along FM 3470 (Stan Schlueter Loop) in Killeen, Bell County, Texas. All design and construction will be provided by the donor, its consultant, or its contractor. The estimated value of the donation is \$27,000.00.	\$27,000.00	12/27/2021
16.	KB Home Lone Star Inc.	Austin District	Caldwell	The donor is donating design and construction of a sidewalk on SH 130 from Borchert Loop to 0.3 miles south of Borchert Loop in Lockhart, Caldwell County, Texas. All design and construction work will be provided by the donor, its consultant, or its contractor. The estimated value of the donation is \$210,000.00, which includes payment for all state direct costs associated with the review, oversight, and inspection of the work that is on the state right of way.	\$210,000.00	1/18/2022
17.	Landmark Industries, LLC	Houston District	Harris	The donor is donating design and construction of a left turn lane from the southeast intersection of FM 2920 and SH 99 into the Timewise-SH 99 and FM 2920 development in Spring, Harris County, Texas. All design and construction work will be provided by the donor, its consultant, or its contractor. The estimated value of the donation is \$350,000.00.	\$350,000.00	1/12/2022

NO.	DONOR	D/D/O	COUNTY	DESCRIPTION	DOLLAR AMOUNT	DATE APPROVED
18.	Love's Travel Stops & Country Stores, Inc.	Atlanta District	Panola	The donor is donating design and construction of improvements to approximately 1,550 linear feet of US 79/Sabine Street in Carthage, Panola County, Texas. Improvements will include the addition of an eastbound left turn lane and a westbound right turn lane into the donor's development. It will also include removal and reconstruction of the existing paved shoulders, widening for the right turn lane, milling, and resurfacing of the existing travel lanes and re-striping for the new turn lanes. All design and construction work will be provided by the donor, its consultant, or its contractor. The estimated value of the donation is \$300,000.00, which includes payment for all state direct costs associated with the review, oversight, and inspection of the work that is on the state right of way.	\$300,000.00	1/22/2022
19.	Lytle 35 Property LLC	San Antonio District	Atascosa	The donor is donating design and construction of a right turn lane on FM 317 at the intersection of IH-35 in Lytle Atascosa County, Texas. All design and construction work will be provided by the donor, its consultant, or its contractor. The estimated value of the donation is \$270,000.00.	\$270,000.00	1/24/2022
20.	Moonlight Hewitt LLC	Waco District	McLennan	The donor is donating design and construction of a concrete pavement to allow for a right-in/ right-out/left-in for vehicle traffic off Old Temple Road onto Hewitt Drive in Hewitt, McLennan County, Texas. All design and construction work will be provided by the donor, its consultant, or its contractor. The estimated value of the donation is \$52,000.00.	\$52,000.00	1/25/2022
21.	Milestone Community Builders, LLC	Austin District	Hays	The donor is donating design and construction of left turn lane improvements and two new development driveways at the intersection of RM 150 at Rocking M Road 250 ft SE of Dove Hollow Drive in Kyle, Hays County, Texas. All design and construction work will be provided by the donor, its consultant, or its contractor. The estimated value of the donation is \$390,000.00, which includes payment for all state direct costs associated with the review, oversight, and inspection of the work that is on the state right of way.	\$390,000.00	12/20/2021

NO.	DONOR	D/D/O	COUNTY	DESCRIPTION	DOLLAR AMOUNT	DATE APPROVED
22.	Polich Sherman Owen LLC	Waco District	McLennan County	The donor is donating design and construction of the replacement of paved shoulders on FM 308 approximately 1.5 miles east of IH-35 in McLennan County, Texas to accommodate vehicles accessing the new RV Park. The work will include saw cutting the existing edge of pavement and base and then placing 12" flex base and a one coat surface treatment on top of the base. This will also include some minor ditch grading to provide additional cross-sectional width for the shoulder widening. The design and construction work will be provided by the donor, its consultant, or its contractor. The estimated value of the donation is \$110,000.00.	\$110,000.00.	1/14/2022
23.	Precast/Prestressed Concrete Institute (PCI)	Bridge Division and Materials and Tests Division	N/A	The donor is donating airfare, ground transportation, lodging at the conference hotel, conference registration and other directly related expenses for Jason Tucker, P.E., Section Director, Prefabricated Structural Materials, Materials and Tests Division and Taya Retterer, P.E. Bridge Division to attend the 2022 PCI Convention from March 1, 2022 to March 5, 2022 in Kansas City, Missouri. All costs will be paid directly by the donor. The estimated value of the donation is \$4,100.00.	\$4,100.00	1/06/2022
24.	RED Family Development, LLC	Bryan District	Grimes	The donor is donating design and construction of a left turn lane and associated widening on SH 30 into the donor's property located in Grimes County. All design and construction work will be provided by the donor, its consultant, or its contractor. The estimated value of the donation is \$99,000.00, which includes payment for all state direct costs associated with the review, oversight, and inspection of the work that is on the state right of way.	\$99,000.00	12/28/2021
25.	Republic Grand Ranch, LLC	Houston District	Montgomery	The donor is donating design and construction of deceleration and right turn lane from FM 1097 into the Republic Grand Ranch section 2 development in Willis, Montgomery County. Texas. All design and construction work will be provided by the donor, its consultant, or its contractor. The estimated value of the donation is \$250,000.00.	\$250,000.00	12/17/2021

NO.	DONOR	D/D/O	COUNTY	DESCRIPTION	DOLLAR AMOUNT	DATE APPROVED
26.	Senior Living at Tuscan Lakes, LLC	Houston District	Galveston	The donor is donating design and construction of a right turn lane development in League City, Galveston County, Texas. All design and construction work will be provided by the donor, its consultant, or its contractor. The estimated value of the donation is \$15,000.00.	\$15,000.00	1/19/2022
27.	SRPF B/Spartan West X, L.P.	Houston District	Waller	The donor is donating design and construction of a right turn (deceleration) lane, mill and overlay of the existing pavement and restriping for two left turn lanes from US 90 into the Empire West Business Park development in Waller County, Texas. All design and construction work will be provided by the donor, its consultant, or its contractor. The estimated value of the donation is \$400,000.00.	\$400,000.00	12/30/2021
28.	Texas Circle B Ranch, LLC	San Angelo District	Edwards	The donor is donating an amount sufficient to cover the state's cost to construct a cattle crossing and appurtenances located on RM 335, 12.993 miles north of SH 55 in Edwards County, Texas. The state shall administer, coordinate, design, adjust utilities, construct, and supervise the construction of the work within the right of way. Work will be performed by the state, its consultant, or its contractor. The donor shall donate a sufficient amount to cover all direct and indirect costs for the state to complete its portion of the work. The Donor shall provide temporary and permanent fence adjustments, tree and brush removal and construction/access on its property. The estimated value of the donation is \$650,000.00.	\$650,000.00	1/09/2022
29.	Texas Petroleum Group, LLC	Houston District	Harris	The donor is donating design and construction of a left turn lane from the southeast intersection of FM 2920 and SH 99 into the Timewise-SH 99 and FM 2920 development in Spring, Harris County, Texas. All design and construction work will be provided by the donor, its consultant, or its contractor. The estimated value of the donation is \$350,000.00.	\$350,000.00	1/25/2022

NO.	DONOR	D/D/O	COUNTY	DESCRIPTION	DOLLAR AMOUNT	DATE APPROVED
30.	Vulcan Materials Company, LLC	Austin District	Burnet	The donor is donating design and construction for pavement widening and the addition of a deceleration and acceleration lane for the Vulcan Materials driveway in the 5500 block of E. SH 71 from 2.90 miles east of CR 401 to 3.7 miles east of CR 401 in Spicewood, Burnet County, Texas. All design and construction work will be provided by the Donor, its consultant, or its contractor. The estimated value of the donation is \$570,000.00, which includes payment for all state direct costs associated with the review, oversight, and inspection of the work that is on the state right of way.	\$570,000.00	1/26/2022
31.	Walton Camino Real 1, LP	Austin District	Caldwell	The donor is donating design and construction of a southbound right turn lane, a northbound left turn lane, and traffic signal installation at the Camino Real subdivision entrance along SH 21 in Uhland, Caldwell County, Texas. All design and construction work will be provided by the donor, its consultant, or its contractor. The estimated value of the donation is \$660,000.00, which includes payment for all state direct costs associated with the review, oversight, and inspection of the work that is on the state right of way.	\$660,000.00	1/05/2022

EXHIBIT B
ROW ACQUISITION BY DONATION
February 23, 2022

NO.	DONOR	D/D/O	COUNTY	DESCRIPTION	TXDOT VALUE	ROW CSJ NO./Parcel No.	DATE ACCEPTED
1.	Masonwood, HP, Ltd., a Texas Limited Partnership	Austin District	Travis	Donation of 0.445 acres of land on RM 3238. The property being donated will be utilized to increase safety by facilitating the widening at the future Martinet Drive and to allow for utility accommodation.	\$56,691.92	5500-00-051 Parcel 1	01/06/2022

**EXHIBIT C
DONATIONS
February 23, 2022**

NO.	DONOR	D/D/O	COUNTY	DESCRIPTION
1	Andria Babineaux dba In Honor of Michael J. Babineaux, MD	Austin	Travis	The donor is donating \$1,530.00 under the Sponsor a Highway Program for a period of 2 years. This is a new contract on an existing sign location.
2	Evangeline Cafe	Austin	Travis	The donor is donating \$1,606.536 under the Sponsor a Highway Program for a period of 2 years. This is a contract renewal on an existing sign location.
3	Presidio Doors	Austin	Travis	The donor is donating \$1,392.84 under the Sponsor a Highway Program for a period of 2 years. This is a contract renewal on an existing sign location.
4	The Really Useful Information Company LLC DBA TRUiC.com	Austin	Travis	The donor is donating \$6,750.00 under the Sponsor a Highway Program for a period of 2 years. This is a new contract on five existing sign locations.
5	Elephant Insurance Services, LLC	Dallas	Dallas	The donor is donating 1 mile of litter pick up per month for 2 years under the Sponsor A Highway Program
6	Flock Freight, Inc	Dallas	Dallas	The donor is donating 2 miles of litter pick up per month for 2 years under the Sponsor A Highway Program
7	Elephant Insurance Services, LLC	Dallas	Denton	The donor is donating 1 mile of litter pick up per month for 2 years under the Sponsor A Highway Program
8	BSV Fund VII, LLC DBA Blossom Street Ventures	Dallas	Ellis	The donor is donating 1 mile of litter pick up per month for 2 years under the Sponsor A Highway Program
9	Law Firm of Roger "Rocky" Walton, P.C.	Fort Worth	Tarrant	The donor is donating 1 mile of litter pick up per month for 2 years under the Sponsor A Highway Program
10	Lakefield Veterinary Group, Inc. dba Cross Creek Veterinary Hospital	Houston	Fort Bend	The donor is donating 1 mile of litter pick up per month for 2 years under the Sponsor A Highway Program

NO.	DONOR	D/D/O	COUNTY	DESCRIPTION
11	AMOCO Federal Credit Union	Houston	Harris	The donor is donating 1 mile of litter pick up per month for 2 years under the Sponsor A Highway Program
13	Elephant Insurance Services, LLC	Houston	Harris	The donor is donating 5 miles of litter pick up per month for 2 years under the Sponsor A Highway Program
14	Linscomb & Williams, Inc.	Houston	Harris	The donor is donating 1 mile of litter pick up per month for 2 years under the Sponsor A Highway Program
15	Nations Reliable Lending, LLC	Houston	Harris	The donor is donating 2 miles of litter pick up per month for 2 years under the Sponsor A Highway Program
16	James Mears Motors, Inc.	Lubbock	Lubbock	The donor is donating 5 miles of litter pick up per month for 2 years under the Sponsor A Highway Program
18	Horizon Merchant, Inc. dba Billy Bob's Beds	San Antonio	Bexar	The donor is donating 2 miles of litter pick up per month for 2 years under the Sponsor A Highway Program
19	Total Men's Primary Care	San Antonio	Bexar	The donor is donating 2 miles of litter pick up per month for 2 years under the Sponsor A Highway Program
20	VT San Antonio Aerospace, Inc.	San Antonio	Bexar	The donor is donating 1 mile of litter pick up per month for 2 years under the Sponsor A Highway Program
21	Holdsworth & Nicholas, Inc. f.b.o. Texas MedClinic	San Antonio	Comal	The donor is donating 1 mile of litter pick up per month for 2 years under the Sponsor A Highway Program