

## The Montague County Grape Experiment Station

The Texas Agricultural Fruit Research and Demonstration Farm was established by the Texas State Legislature in 1937. On May 29, 1937, the Montague County Commissioners Court granted a 25-acre easement to Texas A&M University on a portion of the existing County Poor Farm for the research station, which began operation on January 1, 1938. The County authorized without cost the Poor Farm workers for plowing and cultivating the first season until a small tractor was acquired in the fall. During the first year, an office and laboratory building was constructed out of native sandstone, and a water well was drilled and pump installed. By November, the County had added 31 additional acres to the Grape Experiment Station, making it possible to extend the work to include additional horticultural research. The Poor Farm closed in 1939, and the remaining farm property not included in the 56 acres for the Experiment Station was leased or sold by the County. By 1940, the station had 323 kinds of grapes growing, a young fruit orchard with several varieties of peaches, plums, apples, and pears, and plans were underway to secure a grape juice bottling plant for the area (which never came to fruition). In 1940, the WPA constructed a home for the caretaker.

In 1947, the Montague Fruit Experimental Station began hosting an annual 2-day Grape Festival to showcase the work underway in developing new and better methods of growing fruit crops. Farmers toured the Station in small groups, and the event culminated in the selection of a festival queen and her court. Several thousand people toured the station during these events, including 16 county agents in 1958, the largest aggregation of county agents ever to visit one experimental farm. By 1949, over 400 varieties of grapes, some 90 different varieties of peaches, and a number of plum, apple, pear and berry varieties were under observation, but grapes were the chief interest of the station since all grape experimentation for the State of Texas was centered here, and Montague was the leading grape producing county in Texas. In 1951 another home was constructed for the Superintendent.

The Montague County Grape Experiment Station became well known throughout the nation – no other experimental station in Texas studied grapes on such a large scale, with over a thousand different kinds of grapes being grown and studied, more than half of them named varieties. Here was maintained one of the largest collections of grape varieties in the country. Scientific studies were made of varietal adaptability and breeding, fertilization, pruning, training of vines, use of cover crops in providing humus, spacing, rootstock investigations and elevation and terrace plantings.

When the grape industry began to decline in the early 1950s the station turned its attention to peaches and apples. For years, Texas peach growers had been needing a peach which would escape late spring freezes. In 1952, the Montague Station developed the Ranger peach variety, which was both late blooming and of good quality, producing crops when the popular Elberta peach variety failed. In the late 1960s, A&M officials instructed U.A. Randolph to destroy and pull out all the grape vines on the station and concentrate on other fruit production. The annual Grape Festival was also discontinued along with the grapes.

Uriel A. Randolph was the station's first horticulturist and served the station as Superintendent for 32 years. He was instrumental in developing the famous Ranger peach variety and the Holland variety of apple. His efforts were a boon to local farmers, and the local peach and apple industry thrived. Today, peaches are the leading deciduous fruit crop grown in Texas, and it is estimated that there are more than one million trees planted statewide with annual production exceeding one million bushels.

The Montague County Experiment Station was closed on February 1, 1986, because of state budgetary constraints. The site now is overgrown and abandoned, on land still owned by Montague County, but the importance of Montague's Experiment Station to American agriculture cannot be overstated.



# Certificate of Appointment

for a

## Health Authority

The Health Authority has been appointed and approved by the:

(Put an "X" by the appropriate designation below)

Commissioners Court for MONTAGUE County  
 Governing Body for the Municipality of \_\_\_\_\_  
 Director, \_\_\_\_\_ Health Department  
 Director, \_\_\_\_\_ Public Health District

I, Kevin L. Benton, acting in my capacity  
as: (Put an "X" by the appropriate designation below)

County Judge or Designee  
 Mayor or Designee  
 Non-physician and the Local Health Department Director  
 Non-physician and the Public Health District Director

do hereby certify the physician, Chance Dinger, MD, who is licensed  
by the Texas Board of Medical Examiners, was duly appointed as the (check as applicable),

Health Authority  
 Health Authority Designee

for the jurisdiction of Montague County, Texas.

Date term of office begins June 1, 2024

Date term of office ends May 31, 2026, unless removed by law.

I certify to the above information on this the 22nd day of April, 2024

\_\_\_\_\_  
Signature of Appointing Official

The Bowie News, Inc  
 PO Box 831  
 Bowie TX 76230

# Invoice

Phone #	Date	Invoice #
940-872-2247	3/6/2024	113669

<b>Bill To</b>
IN-TS Montague County Commissioners Court PO Box 416 Montague, TX 76251



Please Make Checks Payable To: The Bowie News  
 Our terms are net 30. Any unpaid invoices over 30 days past due are subject to late payment charges of 1.5% per month, as allowed by Texas State Law.

Terms	Due Date	P.O. No.	Rep
Net 30	4/5/2024	Water Permit	NO

Description	Quantity	Price Each	Amount
Legal Line Ad <i>Water Permit</i>	1,296	0.65	842.40
<p>AP Voucher Date <u>4/9/24</u>            Department <u>098-409</u>            Line Item <u>305</u> \$ <u>842.40</u>            Pay To: <u>The Bowie News</u>            Approval <u>MM</u>            Received _____ Date: _____</p>			

Tear Sheets Are Available Online For Your Convenience Go To: bowienewsonline.com 1. Click on The Online Addition 2. Click on The Image of The Paper 3. Click on Subscriber Login Login: BNTS Password: 76230	<b>Total</b>	<b>\$842.40</b>
	<b>Payments/Credits</b>	<b>\$0.00</b>
	<b>Balance Due</b>	<b>\$842.40</b>



**GOVERNMENT CAPITAL**  
**CORPORATION**

# **Financing Proposal**

*Prepared For*



**Montague County**

April 16, 2024

*Submitted By*

**Government Capital Corporation**

345 Miron Drive  
Southlake, Texas 76092

**Stephanie Cates**

SVP Client Services  
(817) 722-0214



**GOVERNMENT CAPITAL**  
**CORPORATION**

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## GOVERNMENT CAPITAL CORPORATION

### Corporate Overview

Government Capital Corporation (GCC) was founded in 1992 with the primary purpose of providing tax-exempt financing solutions for state and local government entities including cities, schools, counties, and special districts. Since our inception, GCC and its affiliates have provided financing solutions exceeding \$6 billion for many different types of projects. These financings have provided funding for a wide variety of municipal needs including vehicles, technology, facilities, and heavy-duty equipment. Our team possesses extensive experience assisting state and local governmental entities of all types in creating, evaluating and implementing financing structures of every type authorized by various state borrowing authorities. Although we serve clients in all 50 states, since Texas is our home, one of our primary areas of focus is assisting Texas counties with acquiring essential personal property and equipment. Since our inception, we've been honored to provide financing solutions for 152 Texas counties, representing 60 percent of the counties in the state. In many cases, we have helped our clients adapt to and comply with regulatory changes as well as enable them to execute financings more rapidly, efficiently, and economically.

### Representative Experience

**Webb County** - Government Capital Corporation's relationship with Webb County has spanned over two and a half decades and involved a wide variety of projects. From the first acquisition of computer equipment in 1998 to modular buildings and copiers in the early 2000s to the more recent acquisitions of software, vehicles, and heavy work equipment, Government Capital has become Webb County's trusted go-to partner for all their financing needs.

**Jim Wells County** - Government Capital and Jim Wells County have partnered together on over two dozen financings since 2011. The transactions have facilitated a large array of acquisitions including police vehicles, election equipment, fire trucks, and more. In 2022 alone, GCC provided funding for sheriff vehicles, a motor grader, and a work truck for the county's infrastructure projects.

**Hudspeth County** - Hudspeth County and GCC have worked together since 2010 on multiple equipment acquisitions. At the end of 2022, Government Capital funded the purchase of a Freightliner work truck for the county's Solid Waste Department. The addition of the truck to the fleet allowed for shorter and more efficient routes, saving the department miles and manhours.

**Runnels County** - Runnels County has turned to Government Capital to fulfill their financing needs since 2002. GCC has provided funding for the acquisition of software and a variety of heavy equipment including Freightliner work trucks, tractors, and a water truck. Most recently, Runnels County partnered with Government Capital to acquire updated election equipment, providing its citizens with a more efficient and secure voting process.

**Henderson County** - Government Capital has partnered with Henderson County on multiple projects since 2007. In recent years, GCC has funded the acquisition of numerous types of heavy equipment including a reclaimer, a track loader, and a site boss. The equipment has been used throughout the county to improve infrastructure and serve the community.

**Zapata County** - Government Capital has provided financing for Zapata County for over 20 years. With GCC's assistance, the county has acquired software, waste disposal vehicles, a body scanner, and other essential equipment. Additionally, Government Capital provided funding to the county's Water Works Department for a sewer and water meter improvement project.

**Montague County** - Montague County and Government Capital have partnered together for more than a decade on over a dozen financings. Most recently, GCC provided funding for the acquisition of a drum roller, multiple vehicles, and a motor grader for the county's infrastructure improvement projects.



**GOVERNMENT CAPITAL**  
CORPORATION

**Partial Listing of Texas County Clients**



**Dawson County**



**Gillespie County**



**Zavala County**



**Jim Hogg County**



**Leon County**



**Lavaca County**



**Navarro County**



**La Salle County**



**Comanche County**



**Austin County**



**Hill County**



**Blanco County**



**Van Zandt County**



**Hamilton County**



**Parker County**



**Bosque County**



**Matagorda County**



**Freestone County**



April 16, 2024

Mr. Bob Langford  
Montague County  
940-531-0380  
Langfordmctx.com

Dear Mrs. Essary,

Thank you for the opportunity to present proposed financing for Montague County. I am submitting for your review the following proposed structure:

ISSUER:	Montague County, TX
FINANCING STRUCTURE:	Public Property Finance Contract issued under Local Government Code Section 271.005
EQUIPMENT COST:	\$ 82,000
TERM:	4 Payments
INTEREST RATE:	5.85%
PAYMENT AMOUNT:	\$ 23,583.27
PAYMENTS BEGINNING:	One year from signing, annually thereafter

**Financing for these projects would be simple, fast and easy due to the fact that:**

- ✓ We have an existing relationship with you and have your financial statements on file, expediting the process. Please keep in mind we may also need current year statements.
- ✓ We can provide familiar documentation for your legal counsel.

The above proposal is subject to audit analysis, assumes bank qualification and mutually acceptable documentation. The terms outlined herein are based on current markets. Upon credit approval, rates may be locked for up to thirty (30) days. If funding does not occur within this time period, rates will be indexed to markets at such time.

Our finance programs are flexible and as always, my job is to make sure you have the best possible experience every time you interact with our brand. We're always open to feedback on how to make your experience better. If you have any questions regarding other payment terms, frequencies or conditions, please do not hesitate to call.

With Best Regards,

*Stephanie Cates*  
Stephanie Cates  
SVP Client Services  
Main: 817-421-5400





## RESOLUTION

### A RESOLUTION REGARDING A CONTRACT FOR THE PURPOSE OF FINANCING A "MACK TRUCK".

WHEREAS, Montague County (the "Issuer") desires to enter into that certain Finance Contract by and between the Issuer and Government Capital Corporation ("GCC") for the purpose of financing (a) "Mack Truck". The Issuer desires to designate this Finance Contract as a "qualified tax exempt obligation" of the Issuer for the purposes of Section 265 (b) (3) of the Internal Revenue Code of 1986, as amended.

NOW THEREFORE, BE IT RESOLVED BY Montague County:

Section 1. That the Issuer will enter into a Finance Contract with GCC for the purpose of financing a "Mack Truck".

Section 2. That the Finance Contract by and between Montague County and GCC is designated by the Issuer as a "qualified tax exempt obligation" for the purposes of Section 265 (b) (3) of the Internal Revenue Code of 1986, as amended.

Section 3. That the Issuer appoints the County Judge or the County Judge's designee, as the authorized signer of the Finance Contract by and between Montague County and GCC as well as any other ancillary exhibit, certificate, or documentation needed for the Contract.

Section 4. That should the need arise, if applicable, Montague County will use loan proceeds for reimbursement of expenditures related to the Property, within the meaning of Treasury Regulation § 1.150-2, as promulgated under the Internal Revenue Code of 1986, as amended.

This Resolution has been PASSED upon Motion made by Commissioner \_\_\_\_\_, seconded by Commissioner \_\_\_\_\_ by a vote of \_\_\_\_\_ to \_\_\_\_\_ and is effective this \_\_\_\_\_, 2024.

**Issuer:** Montague County

Witness Signature

\_\_\_\_\_  
Kevin Benton, County Judge

\_\_\_\_\_  
Kim Jones, County Clerk

Appendix N

REVISION TO PLAT

Name of Subdivision: Silver Lakes Ranch Phase Three

Recorded in Volume 10, Page 85 of the ~~Real Property~~ PIAT Records of Montague County, Texas

Commissioner Precinct No.:       

Owner/subdivider/developer: DAN & SHARON O'HARA

Owner/subdivider/developer's Mailing Address: 3200 Langley Drive, Plano, Texas 75025

Owner/subdivider/developer's Phone Number(s): 214-458-4436

Lots or Tracts to be revised (include Unit, Section or Phase # if applicable): LOT 258 : LOT 259 PHASE Three

Resulting Lot Number to be Known As: 258 R

Lienholder:        Yes        No

If yes, Name of Lienholder:         
(Attach Lienholder's Acknowledgement, Appendix K)

**IF REVISED PLAT INCLUDES ANY CHANGES TO AN EXISTING UTILITY EASEMENT, RELEASE OF SAID EASEMENTS BY THE UTILITY PROVIDERS IS REQUIRED BEFORE APPROVAL OR FILING OF SAID PLAT.**

The signature affixed below will certify that the owner/subdivider/developer of the described property does hereby request to revise the plat of the property. The owner/subdivider/developer certifies that any and all lienholders have acknowledged this revision as per the attached Lienholder's Acknowledgement, if applicable.

[Signature]  
(Owner/subdivider/developer's Signature)

Dan O'Hara      Sharon O'Hara  
(Printed name)

THE STATE OF TEXAS  
COUNTY OF MONTAGUE

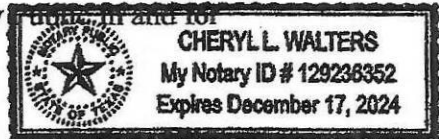
§  
§  
§

SWORN TO AND SUBSCRIBED before me by Dan + Sharon Dharu

on the 8 day of March, 2024.

*Cheryl Walters*  
The State of Texas

Notary



APPROVED BY COMMISSIONERS COURT ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
MONTAGUE COUNTY JUDGE

ATTEST: \_\_\_\_\_  
MONTAGUE COUNTY CLERK

**Appendix B**

**MONTAGUE COUNTY SUBDIVISION PLATTING CHECKLIST  
SECOND READING (FINAL)**

**Subdivision name:** ROBB ADDITION

YES	NO	N/A	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	All information required for preliminary plat.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Lot and block numbers.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Street names, <i>must be pre-approved by 9-1-1 Coordinator.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Acreage of each lot or parcel.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Name and address of Surveyor/Engineer.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Location and size of drainage structures.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Location, size, and proposed use of easements.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Incorporated City's Boundary/ETJ Note.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Servicing Utilities Note.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Certification from licensed professional engineer regarding utilities.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Restrictive covenants.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Tax certificates and rollback receipts if required.
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Home Owner's Association Incorporation articles and by-laws (if applicable).
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Construction plans of roads and drainage improvements.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Receipt showing payment of preliminary plat fees.
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Sign-off for TxDOT road access, if applicable.

Appendices:

**FINAL CHECKLIST**  
(continued)

Appendices:

YES	NO	N/A	
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Appendix C (1) – Certificate of Dedication by Owner/subdivider/developer (when owner/subdivider/developer is an individual)
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Appendix C (2) – Certificate of Dedication by Owner/subdivider/developer (when owner/subdivider/developer is a corporation)
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Appendix D – Certificate of Recording (if applicable)
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Appendix E – Water Supply Certificate
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Appendix F – Certificate of Surveyor
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Appendix G – Certificate of Engineer
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Appendix H – Certificate of OSSF Inspector’s Approval
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Appendix I-Certificate of Road Maintenance (when roads are to be retained as private roads)
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Appendix J – Certificate of County Road Maintenance Disclaimer
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Appendix K-Certificate of County Approval of Plat
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Appendix L-Permit to Construct Driveway in County RoW
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Appendix M-Lienholder’s Acknowledgement
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Appendix N-Revision to Plat (if applicable)
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Appendix O-Notice of Utility Installation in County RoW
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Appendix P-Plans and Specifications for Cattleguard (if applicable)
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Appendix Q-Cross Section Road Standards
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Appendix R-Summary of Road Standards

**FINAL CHECKLIST**  
**(continued)**

Appendices:

**YES**    **NO**    **N/A**

Appendix S-Development Fees

\_\_\_\_\_  
Signature of Reviewer

\_\_\_\_\_  
Date of Review

**ADDITIONAL REQUIREMENTS:**  
**ALL ITEMS ON THIS CHECKLIST MUST BE IN THE HANDS OF THE COUNTY**  
**JUDGE'S OFFICE NO LESS THAN THIRTY (30) DAYS PRIOR TO THE**  
**COMMISSIONERS COURT HEARING DATE.**



## TAKINGS IMPACT ASSESSMENT

Proposed Action: The County proposes to adopt an ordinance concerning the regulation of Subdivisions of Land in unincorporated areas of Montague County

County Department: Commissioners Court

Contact Person: Kevin Benton

Phone: (940)-894-2401

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### **I. Stated Purpose**

The purpose of the proposed action is to regulate the development of subdivisions of land, as defined by Chapter 232, Texas Local Government Code in order to protect the health, safety, and welfare of the citizenry; protect the citizens from inadequate infrastructure; preserve the quality of life; preserve property values and the character of the surrounding neighborhoods; and deter the spread of community blight. The Texas Legislature has determined that the unrestricted subdivision of land may be detrimental to the public health, safety, and welfare by contributing to the decline of residential and business neighborhoods and the installation of inadequate or unsuitable residential infrastructure, including the provision of utilities, including water, wastewater and drainage, as well as suitable access, ingress and egress by vehicular traffic including emergency vehicles. It is the judgment of the Montague County Commissioners Court that the unregulated development of subdivisions of land in the unincorporated areas of Montague County, would present an unnecessary threat of harm to citizens.

### **II. The Nature of the Action**

A takings impact assessment is required only for two types of governmental of actions. State whether the proposed action is one of the following:

- 1) The adoption or issuance of an ordinance, rule, regulatory requirement, resolution, policy, guideline, or similar measure; or

- 2) An action that imposes a physical invasion or requires a dedication of private real property;

Yes. The proposed course of action is to adopt an ordinance.

**III. Potential Effect on Private Property**

1. Does the county action require a physical invasion, occupation or dedication of real property?

Yes \_\_\_\_\_ No   x  

2. Does the county action limit or restrict a real property right, even partially or temporarily?

Yes   x   No \_\_\_\_\_

The proposed action does place restrictions on the use of property for the subdivision and development of land in the unincorporated areas of Montague County, Texas. However, the Texas Legislature has found that the unrestricted subdivision and development of land in the unincorporated areas of a Texas county may be detrimental to the public health, safety, and welfare by contributing to the decline of residential and business neighborhoods and the installation of inadequate or unsuitable residential or industrial infrastructure, including the provision of utilities, including water, wastewater and drainage, as well as suitable access, ingress and egress by vehicular traffic, including emergency vehicles. Under Texas law, a county may adopt regulations regarding the subdivision of land, as defined by Chapter 232 of the Texas Local Government Code, as necessary to promote the public health, safety, or welfare of the citizenry. Subdivisions of land that are in current operation and that may be affected by the regulations will be permitted to continue operations in their current locations so long as the same are not enlarged or expanded. The adoption of the proposed action does not result in the physical taking of private real property. The adoption of the proposed action does not

deprive the owner of all economically viable uses of the property, have a significant impact on the property owner's economic interest, or deny a fundamental attribute of ownership. Therefore, the proposed action does not appear to be an action covered under the Texas Real Property Rights Preservation Act.

#### **IV. Exemptions**

After consideration, the Commissioners Court finds that the proposed action is an action a) taken in response to a real and substantial threat to public health and safety, b) designed to significantly advance the health and safety purpose, and c) one that does not impose a greater burden than necessary to achieve the health and safety purpose.

Based upon the above findings, the proposed action is exempt from the provisions of the Texas Real Property Rights Preservation Act.

#### **IV. Analysis of Purpose, Burdens and Benefits**

- A. Referring to the purpose of the county action in Section I above, state how the action achieves or advances its purpose.

As stated, the purpose of the proposed action is to promote the public health, safety, or welfare of the citizenry by requiring minimum standards for the planning, platting and development of subdivisions of land within the unincorporated areas of Montague County, Texas. This purpose is furthered by placing minimal standards upon the development of land for use as a residential or industrial development, and to required sensible standards regarding the provision of residential or industrial services, including utilities, including water, wastewater, drainage, and access, ingress and egress by vehicular traffic, including emergency vehicles. Further, the proposed action provides legitimate accountability to developers of rural subdivisions outside of the incorporated areas of Montague County, by providing requirements designed to protect the public health and safety.



B. Describe the benefits to society resulting from the county action.

The benefits include 1) reasonable regulation of rural subdivision development in order to protect the health and well-being of the citizens; 2) provide accountability for developers of rural subdivisions of land outside the incorporated areas of Montague County by reasonable requirements designed to protect the public health and safety; 3) prevent the installation of inadequate infrastructure by requiring minimal standards upon the development of rural subdivisions of land located in the unincorporated areas of Montague County, Texas ; 4) prevent a decrease in property value by placing reasonable requirements for utilities, including water, wastewater, drainage and access, ingress and egress of vehicular traffic, including emergency vehicles; and 5) prevent the spread of unregulated development that will be injurious to the public health and safety.

C. Discussion of the burdens that may be imposed on private real property by the county action.

After consideration, the Commissioners Court finds as follows:

1. The proposed action will not result indirectly or directly in a permanent or temporary physical occupation of private real property;
2. The proposed action does not require a property owner to dedicate property or grant an easement except as may be required to satisfy requirements addressing the provision of utilities, including water, wastewater, drainage, utility services, or access, ingress and egress for vehicular traffic, including emergency vehicles;
3. The proposed action does not deprive the owner of all economically viable use of his property;
4. The proposed action does not deny any owner the right to possess his real property, enjoy it, exclude others from it or sell it; and
5. It does not appear that the proposed action will serve to reduce the market value of any owner's property.

Presently established rural subdivisions that may be affected by the regulations will be permitted to continue in their current location and condition so long as these locations are not enlarged or expanded. Therefore, it appears that there will be no reduction in the market value of any owner's property.

Additional discussion of potential burdens:

The proposed actions pose a minimal burden on real property owners and present a substantial benefit to society. The County is permitted to adopt regulations that address the public health, welfare and safety of its citizenry. Presently established rural subdivisions that are in current operation and that may be affected by the regulations will be permitted to continue operations in their current locations and conditions so long as the same are not enlarged or expanded. These subdivisions will also have adequate notice and opportunity to construct or renovate their premises and arrange their operations in order to comply with the proposed regulations should the present subdivision be enlarged or expanded. The adoption of the proposed action does not result in the physical taking of private real property. The adoption of the proposed action does not deprive the owner of all economically viable uses of the property, have a significant impact on the property owner's economic interest, or deny a fundamental attribute of ownership. Therefore, no existing property rights will be impinged and market value should not be affected.

**V. Alternatives**

- A. Describe alternative actions that could accomplish the same purpose as the proposed action.

After consideration, the Commissioners Court finds that there are no alternatives which would effectively accomplish the same purpose.

- B. Would these alternatives impose a lesser burden on the property which is the subject of the proposed action?

This section is inapplicable in light of the response to V(A.).

**VI. Potential Impact on Value**

A. Will the county action reduce the market value of any parcel of private real property by 25% or more?

Yes \_\_\_\_\_ No   x  

Presently existing, and legally established rural subdivisions that may be affected by the regulations will be permitted to continue operations in their current locations and conditions so long as the same are not enlarged or expanded. In addition, this regulation does not restrict any use of the property other than for the development of a subdivision of land, as defined by Chapter 232 of the Texas Local Government Code. The Commissioners Court finds that there are alternative uses available for the property.

**VII. Conclusion:**

- Not a Covered Action
- No Impact on Private Real Property
- Proposed Action is Exempt
- Proposed Action Fully Assessed for Potential Impact on Private Property.

Read and adopted this \_\_\_ day of \_\_\_\_\_ by a vote of \_\_\_\_\_ ayes and \_\_\_\_\_ nays.

\_\_\_\_\_  
County Judge

ATTEST:

\_\_\_\_\_  
County Clerk