



Right-of-Entry Agreement

Roadway Name: FM 676

Project Limits: From SH 107 (Conway Road) To Taylor Road

Control Section Job Number (CSJ): 1064-01-027

District and County: TxDOT Pharr District, Hidalgo County

Parcel ID: **Mesina Pavilion Parking Lot**

Property Legal Description: Unknown –

The undersigned property owner or authorized designee (Grantor) hereby grants unto the Texas Department of Transportation (TxDOT) a right-of-entry (ROE) upon the real property (Property) shown on the attached map (Attachment A) for the purpose of conducting environmental investigations (the Agreement).

TxDOT Pharr District has proposed widening and pavement improvements, on FM 676 from SH 107 (Conway Road) to Taylor Road, in Hidalgo County, Texas. The Property is located within an area that may be affected by the Project (Corridor).

TxDOT is conducting an investigation into the stability of the roads (Bryan Road and FM 676) adjacent to the Josefa Garcia Park, as part of a planned road widening project. TxDOT contractors may be performing investigations for the Project, and may be conducting soil and groundwater studies along the Corridor (FM 676, from SH 107 (Conway Road) to Taylor Road) including, but not limited to the areas along the park boundary and adjacent tracts of land:

- | | |
|---|---|
| <input type="checkbox"/> Wetlands and Streams | <input type="checkbox"/> Cultural Resources, Historical and Archeological |
| <input type="checkbox"/> Hazardous Materials | <input type="checkbox"/> Threatened and Endangered Species |
| <input checked="" type="checkbox"/> Sensitive Habitat/Areas | <input checked="" type="checkbox"/> Geotechnical Soil Sampling and Drilling |
| <input type="checkbox"/> Traffic Noise Survey | |

Work that TxDOT deems necessary to complete schematic design, surveying, and environmental investigations needed for the Project will be conducted by TxDOT and TxDOT contractors.

- Drilling 4" to 6" diameter holes with a truck or track mounted drill rig and temporary monitor well installation and removal.
- Locating and marking buried utilities with stakes, flags and paint.



Any excavations that are conducted will be backfilled, and the surface will be returned as closely as practicable to its original state.

Drilling and surveying in the project vicinity, along the roadway right-of-way, will be performed. Field investigations would likely take place on foot and with truck or all-terrain-vehicle (ATV) drill rig depending on the activities to be performed.

The Grantor understands and agrees to the following terms and conditions:

- After granting the requested Right-of-Entry, the Owner, or authorized agent with signatory responsibilities reserves all rights, titles and interest in and to the property.
- The Right-of-Entry shall not prejudice the Owner's rights to any relocation benefits for which the Owner or Owners would otherwise be eligible.
- The Owner, Owners or authorized representative with signatory authority, grants TxDOT or TxDOT's contractors access to perform the investigation work at its own risk and expense. Temporary flagging or temporary markers may be used to locate specific features or survey points at the property.
- TxDOT and TxDOT's contractors are authorized to cross other portions of the Property in order to gain access to the Corridor for purposes of the investigative work.
- To the extent possible, TxDOT, and its contractors will walk the Corridor and observe all of the information needed for the investigation, without using excavations. TxDOT will leave the Property in substantially the same condition as it was prior to the investigation.
- The Agreement shall be effective the date it is executed and shall remain in effect until the earlier of
 1. The Agreement is revoked in writing by the Grantor
 2. The Property no longer belongs to the Grantor, or
 3. The Property is acquired by the State of Texas.
- The Grantor may be present during the investigation. Please indicate the preferred method for notification at the bottom of the form.
- The Grantor will contact any tenants or lessees on the Property, or will provide the names and contact numbers to TxDOT prior to TxDOT or its contractors entering the Property.
- The Right-of-Entry, unless revoked or terminated, shall extend to and bind the signatory parties, their heirs, executors, administrators, legal representatives, successors, and assigns, including the contractors, consultants, agents and all others TxDOT has deemed necessary to share in this Right-of-Entry.
- If the Owner is not the original individual, by signature, the undersigned authorized representative of the Owner with signatory authority warrants and represents that he or she is duly authorized and empowered to enter into and to execute the Right-of-Entry on behalf of the Owner
- If the Property is owned by multiple Owners, all legal Owners must sign this Right-of-Entry Form for it to be effective.
- Any artifacts found during the investigation will be documented in the field and then returned to the place from which they were found.



Right-of-Entry Agreement

If you have any questions about the investigations or surveys that may be conducted or if you have information about the Property you wish to share, please contact:

Johnny F Flores, P.E., President

Flores Geotechnical, LLC,

1 Chisholm Trail Road, Round Rock, Texas 78681

Email address: jflores@floresgeotech.com

Telephone Number: 512-387-5828 ext 0

Note that information, conditions, or comments concerning the Property may be described below.

This Agreement shall be effective as of the date of signature(s) below:

<p>_____ SIGNATURE OF PROPERTY OWNER/AUTHORIZED AGENT</p> <p>_____ PRINTED NAME OF PROPERTY OWNER/AUTHORIZED AGENT</p> <p>_____ DATE</p> <p>CONTACT INFORMATION:</p> <p>Telephone Number: _____</p> <p>Email Address: _____</p> <p>Mailing Address: _____</p> <p>_____</p> <p>_____</p>	<p>_____ SIGNATURE OF PROPERTY OWNER/AUTHORIZED AGENT</p> <p>_____ PRINTED NAME OF PROPERTY OWNER/AUTHORIZED AGENT</p> <p>_____ DATE</p> <p>CONTACT INFORMATION:</p> <p>Telephone Number: _____</p> <p>Email Address: _____</p> <p>Mailing Address: _____</p> <p>_____</p> <p>_____</p>
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Comment/Conditions for Right-of-Entry or Denial of Right-of-Entry
(Include contact information for advanced notification)

Project Id: 1000-WA-3
Project Title: FM 676
Location: Alton, Texas
Client: TxDOT Pharr District

Title: **-ATTACHMENT A-**
Scale: 1:1000
Engineer: Johnny F Flores, P.E.
Contractor:

TBPE Firm No. 19519
Trail Road, Suite 450, Round Rock, Texas 78681

