

**RESOLUTION AND ORDER DELEGATING APPROVAL OF PERMITS AND BONDS TO  
THE COUNTY ENGINEER, AND AUTHORIZING OTHER MATTERS IN CONNECTION  
THEREWITH AND CONTAINING RELATED FINDINGS AND PROVISIONS**

**STATE OF TEXAS                               §**  
**§**  
**COUNTY OF FORT BEND               §**

On this \_\_\_\_\_ day of \_\_\_\_\_, 2023, at a duly posted and called meeting of the Fort Bend County, Texas, acting by and through the Commissioners Court of Fort Bend County, on motion of Commissioner \_\_\_\_\_, seconded by Commissioners \_\_\_\_\_, duly put and carried:

WHEREAS, pursuant to its authority under Section 251.106 of the Texas Transportation Code, the Commissioners Court has jurisdiction and general authority over all roads, highways, and bridges in the County; and is charged with making and enforcing all necessary rules and orders for the construction and maintenance of such roads, highways, and bridges; and

WHEREAS, Section 251.016 of the Texas Transportation Code grants the Commissioners Court express authority to exercise general control over all roads, highways, and bridges in the County; and

WHEREAS, Section 251.003 of the Texas Transportation Code grants the Commissioners Court express authority to make and enforce all necessary rules and orders for the construction and maintenance of all county roads and is charged with making the roadways safe for public travel; and

WHEREAS, the Commissioners Court determined that tie-ins and/or access points within the right-of-way of county roads may cause damage to such roads; and

WHEREAS, the Commissioners Court further determined that requiring a permit for the construction of tie-ins and/or access points within the right-of-way of county roads is necessary to maintain such roads and make them safe for travel; and

WHEREAS, on September 19, 2000, the Commissioners Court adopted the regulations for “Permits for the Construction of Driveways and Culverts on County Easements and Right of Ways in Fort Bend County, Texas” (the “Regulations”); and

WHEREAS, Section 2 H of the Regulations provides that “All permits which require a bond must be approved by the Fort Bend County Commissioners Court;” and

WHEREAS, the Commissioners Court desires and has the authority to delegate the approval of all permits requiring bonds under the Regulations to the Fort Bend County Engineer (the “County Engineer”) because such approvals or denials do not require the discretion or judgment of the Court; and

WHEREAS, the Commissioners Court has determined that the County Engineer is the appropriate County Officer or Official to delegate the approval and/or denial of such permits.

NOW THEREFORE, BE IT RESOLVED AND ORDERED that:

1. The Fort Bend County Commissioners Court finds and declares that the matters and facts set out in the preamble of this Resolution and Order are hereby true and complete and are incorporated herein.
2. The Fort Bend County Commissioners Court finds that the County Engineer is the appropriate Officer or Official to delegate the authority to approve permits requiring bonds under the Regulations.
3. The Fort Bend County Commissioners Court issues this Interim Authorization for the County Engineer to:
  - a. Approve permits requiring bonds under the Regulations; and
  - b. Approve, accept, and execute on behalf of Fort Bend County any and all documents necessary thereto, including any documents related to surety bonds issued thereunder.
4. This Interim Authorization is effective as of the date this Order is signed and shall continue until such time that the Regulations are amended to memorialize the delegation.
5. Reference to this Resolution and Order shall be included as part of any amended Regulations.

BE IT FURTHER RESOLVED AND ORDERED that Fort Bend County Clerk shall record all surety bonds issued in connection with permits under the Regulations in the Official Public Records of Fort Bend County, Texas at no cost to County.

SIGNED AND ENTERED this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

FORT BEND COUNTY, TEXAS

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KP GEORGE,  
COUNTY JUDGE

ATTEST:

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LAURA RICHARD,  
COUNTY CLERK