

CREATION OF BRAZORIA – FORT BEND RAIL DISTRICT

WHEREAS, pursuant to Texas Transportation Code Section 172.051(2), Brazoria County and Fort Bend County are each eligible for creation of a rural rail transportation district, as a rail line is located in each county that carries three million gross tons per mile per year or less; and

WHEREAS, Brazoria County and Fort Bend County are two counties that are contiguous; and

WHEREAS, transportation of agricultural and industrial products is essential to the continued economic vitality of rural areas; and

WHEREAS, it is in the interest of all citizens of Brazoria County and Fort Bend County that existing rail systems be maintained for the most efficient and economical movement of essential products from the areas of production to the local, national, and export markets; and

WHEREAS, rural rail transportation districts are appropriate political subdivisions to provide for the continued operation of railroads, which are declared by Section 2, Article X, Texas Constitution, to be public highways; and

WHEREAS, the creation, financing, maintenance, and operation of a rural rail transportation district under this Order will help develop, maintain, and diversify the economies of Brazoria County and Fort Bend County; further address unemployment or underemployment; foster the growth of enterprises; and serve to develop and expand transportation and commerce within Brazoria County and Fort Bend County under the authority granted by Section 52-a, Article III, Texas Constitution; and

WHEREAS, financing by rural rail transportation districts for the purposes provided by this order is a lawful and valid public purpose.

NOW, THEREFORE, BE IT ORDERED BY THE COMMISSIONERS COURTS OF BRAZORIA COUNTY AND FORT BEND COUNTY:

THAT the matters and facts recited in the Preamble above are hereby found and determined to be true and correct.

THAT Brazoria County and Fort Bend County, Texas, through concurrent, reciprocal Orders create the "Brazoria-Fort Bend Rail District," pursuant to Texas Transportation Code Section 172.052(c)(2),

The boundaries of the Brazoria-Fort Bend District shall include the area defined by the boundary lines of Brazoria County and Fort Bend County, Texas, including common, adjoining boundary lines.

The Board of the Brazoria-Fort Bend Rail District shall consist of five (5) directors. Brazoria County and Fort Bend County will each appoint two (2) directors. The final member

shall be chosen by the four County-appointed directors.

Directors shall serve two-year terms pursuant to the Texas Transportation Code Section 172.102.

Fort Bend County hereby appoints the following individuals to serve as directors:

- a. Mike Siwierka
- b. Frank Hester

The Brazoria-Fort Bend Rail District shall have all the power and authority granted it pursuant to Chapter 172 of the Texas Transportation Code and any other authority allowed by law.

Upon adoption of this Order by Brazoria County and Fort Bend County, the Board shall provide notice to the Texas Transportation Institute of the District's creation, pursuant to Texas Transportation Code Section 172.054.

This Order shall be in full force and effect from and after its date of approval as required by law.

AND IT IS SO ORDERED:

PASSED AND APPROVED THIS 27 DAY OF January, 2015.

Robert E. Hebert
County Judge Robert E. Hebert

Richard Morrison
Commissioner, Precinct 1
Richard Morrison

Grady Prestage
Commissioner, Precinct 2
Grady Prestage

Andy Meyers
Commissioner, Precinct 3
Andy Meyers

James Patterson
Commissioner, Precinct 4
James Patterson

ATTEST:

Laura Richard
Laura Richard, County Clerk

