



COMMISSIONERS COURT

GUADALUPE COUNTY

Guadalupe County Justice Center
211 West Court Street
Seguin, Texas 78155
(830) 303-8857

KYLE KUTSCHER
COUNTY JUDGE
EXT. 1311

GREG SEIDENBERGER
COMMISSIONER, PRECINCT 1
EXT. 1314

JACK SHANAFELT
COMMISSIONER, PRECINCT 2
EXT. 1362

JIM WOLVERTON
COMMISSIONER, PRECINCT 3
EXT. 1313

JUDY COPE
COMMISSIONER, PRECINCT 4
EXT. 1329

ROAD DISTRICT GUIDELINES FOR GUADALUPE COUNTY, TEXAS

("Applicant" is defined as that Person or those Persons seeking to establish a Road District)

1. Applicant to provide documentation of current ownership of right of way for proposed road district which must be eligible pursuant to Section 253.001, Texas Local Government Code.
2. Examples of types of ownership of Right of Way:
 - a) Home Owners Association
 - b) Individual property ownership to center (or some part) of right of way
 - c) Individual ownership of entire right of way.
3. Applicant submits petition to Precinct Commissioner for Road district signed by property owners, not tenants.
4. Applicant is responsible to take whatever steps are necessary to place the proposed Road District Right of Way into ownership by a single person/entity.
5. Commissioner of Precinct must agree to allocate paving miles to project.
6. County will determine whether all taxes are current on property that will be assessed the allowed costs of work to be performed by the County. No further action will be taken if delinquent taxes are owed. NOTE: "Allowed Costs" do not include Survey costs or any costs associated with transferring ownership of the Right of Way to a single person/entity.
7. Precinct Commissioner presents project to Commissioners Court at a regularly scheduled Commissioner's Court meeting to approve setting the date for public hearing and placing required notices in the newspaper.
8. Commissioners Court must give notice at least twice in the newspaper and hold a public hearing on or after the 31st day of the first notice in the newspaper.
9. After the Public Hearing, the Commissioner's Court must subsequently approve, via an Action Item, the mailing of Ballots to all owners of the real property which will be assessed allowed costs if the Road District is ultimately approved.
10. If No. 9 above is approved by the Commissioner's Court, then within ten days of said public hearing the Commissioners Court shall send a Ballot by certified mail, return receipt requested, to each owner of real property and include a return addressed, stamped envelope. The "Return Address" will be to the Guadalupe County Clerk. The Ballot must include the maximum amount of assessment that would be assessed against each property that is part of the proposed Road District.

11. Within 30 days after the date of the public hearing, the County Clerk shall tally those Ballots that have been returned and declare the results to Commissioners Court at a regularly scheduled Commissioner's Court meeting. If a majority are in favor of the improvement and assessment, the Commissioners Court will conduct a vote whether to order the improvements and assess the allowed costs against the real property owners. If any requirements herein and specifically Nos. 1 & 4 above have not been completed, then any approval by the Commissioner's Court to establish a Road District will be conditioned upon Completion of those requirements.

12. If the majority of owners vote against the improvements, the Commissioners court may not order the improvements and may not propose the order again for four years after the day the County Clerk declares the results.

13. In making an assessment, the Commissioners Court may provide the time, terms and conditions of payment and default, except that Commissioners Court may not require the payment of any interest. (Guadalupe County grants five years to pay assessments). Notwithstanding same, should a property owner fail to pay the assessment (which will appear on the owner's property tax statement), an owner may be subject to penalties, interest and any other remedies available to Guadalupe County due to non-payment of due and owing property taxes.


14. A road improved under this article is a county road and the county will maintain the road in accordance with county road standards.

15. THE COMMENCEMENT OF CONSTRUCTION/IMPROVEMENTS/REPAIRS TO THE RIGHT OF WAY THE SUBJECT OF AN APPROVED ROAD DISTRICT WILL BE CONSISTENT WITH BUDGETARY GUIDELINES FOR CURRENT OR FUTURE COUNTY FISCAL YEARS, ALLOCATION OF ROAD MILES TO EACH COMMISSIONER AND WITH ROAD/BRIDGE PROJECTS THAT ARE HIGHER IN PRIORITY EITHER DUE TO BEING SCHEDULED EARLIER CHRONOLOGICALLY OR DUE TO EMERGENCY ROAD/BRIDGE WORK THAT MUST BE CONDUCTED.

GUADALUPE COUNTY:



KYLE KUTSCHER
COUNTY JUDGE



GREG SEIDENBERGER
COMMISSIONER, PRECINCT 1



JIM WOLVERTON
COMMISSIONER, PRECINCT 3

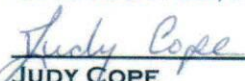
ATTEST:



TERESA KIEL
COUNTY CLERK



JACK SHANAFELT
COMMISSIONER, PRECINCT 2



JUDY COPE
COMMISSIONER, PRECINCT 4

