



Required Documentation of Eminent Domain Authority in Texas

What action must be taken: Per Senate Bill 18 enacted by the 82nd Legislature, all public and private entities authorized to exercise the power of eminent domain in Texas are required to submit a letter to the Comptroller of Public Accounts detailing their legal authority to exercise this power. The letter must be sent by certified, return receipt mail not later than December 31, 2012. (Per the bill, the authority of an entity to exercise the power of eminent domain expires on September 1, 2013, unless the letter has been submitted by the deadline.)

About this form: This form is designed to guide entities in submitting the required information on eminent domain authority. Once the fields have been completed, the form can be printed and mailed via certified, return receipt to the address provided to meet the requirements of the bill.

Entity Information

1. Full, legal name of entity: Aubrey Independent School District
2. Alternate name of entity (if any): _____
3. Primary address: Street or P.O. Box 415 W. Tisdell Lane
City, State, Zip Code Aubrey, Texas 76227
4. Primary phone number (with area code): (940) 668-0060
5. Entity contact: First name James Last name Monaco
Phone number (with area code): (940) 668-0060 E-mail address: jmonaco@aubreyisd.net
6. Alternate contact: First name Debby Last name Sanders
Phone number (with area code): (940) 668-0075 E-mail address: dsanders@aubreyisd.net

Eminent Domain Authority

7. Does your entity have eminent domain authority in Texas? ☒ Yes ☐ No
8. If "yes" to question 7, please identify all of the applicable provisions of state law that grant eminent domain authority to this entity. Please cite as Title of Code or Article, Section Number/Name (for example, Texas Government Code, Section 43.136 or Article 7849, Auxiliary Water Laws).

Aubrey Independent School District ("District") is an entity with authority to exercise the power of eminent domain because it is an independent school district created in accordance with the laws of Texas. Accordingly, Texas Education Code § 11.155(a) grants eminent domain authority to this District. The District also has authority to exercise the power of eminent domain if it creates an athletic stadium authority, pursuant to Texas Education Code, Chapter 45, Subchapter F, and Texas Property Code, Chapter 21. See Texas Education Code § 45.161. Additionally, the District may exercise the power of eminent domain jointly with a municipality for limited purposes, pursuant to Texas Local Government Code, Chapter 273. See Tex. Loc. Gov't Code §§ 273.001, 273.002.

9. Please indicate the first year in which this entity exercised eminent domain authority (if known): unknown

DISCLAIMER: Chapter 2206, Subchapter C, Government Code (as added by Senate Bill 18, 82nd Regular Session) requires the Comptroller of Public Accounts to collect information and report to the Legislature all entities in the state of Texas that have the authority to exercise the power of eminent domain. Entities that provide information to the Comptroller represent and warrant that the information is accurate and complete to the best of their knowledge. Entities that provide information acknowledge that it is their responsibility to submit a letter by certified mail, return receipt requested to the Comptroller's office, indicating that the Entity is authorized to exercise eminent domain authority and to identify each law that grants such authority. The Entity further acknowledges that the Comptroller's office is not responsible to submit said letter, nor is it responsible for the Entity's failure to submit said letter as required by law, and that such failure may cause the entity's power of eminent domain to expire on September 1, 2013. The Entity also acknowledges that the Comptroller of Public Accounts is a state agency subject to Chapter 552 of the Texas Gov't Code (the "Texas Public Information Act") and court interpretations thereof, and that the information submitted to this office may be subject to disclosure to the public under Section 552.101, et seq., of the Code.

Under Ch. 559, Government Code, you are entitled to review, request, and correct information we have on file about you, with limited exceptions in accordance with Ch. 552, Government Code. To request information for review or to request error correction, contact us at the address on this form or sb18compliance@cpa.state.tx.us.

By signing, I agree that the information is true and correct.

Mail this form via **certified mail** to:
COMPTROLLER OF PUBLIC ACCOUNTS
P.O. Box 13942
Austin, Texas 78711

sign
here

Signature

Dr. James Monaco, Superintendent

Print Name/Title

Date

(940) 668-0060

Phone (area code and number)