

RESOLUTION REGARDING EMINENT DOMAIN

WHEREAS, the Brackett Independent School District is authorized to exercise the power of eminent domain by Article I, Section 17, of the Texas Constitution and Texas Education Code section 11.155, which states that:

[a]n independent school district may, by the exercise of the right of eminent domain, acquire the fee simple title to real property on which to construct school buildings or for any other public use necessary for the district.

WHEREAS, the Brackett Independent School District is required by Government Code section 2206.101(b) to submit by certified mail a letter to the Comptroller stating that the District is authorized by the state to exercise the power of eminent domain and identifying each provision of law that grants the District that authority; and

WHEREAS, pursuant to Government Code section 2206.101(b), failure to notify the Comptroller of the District's legal authority to exercise the power of eminent domain by December 31, 2012, would result in expiration of the District's ability to condemn private property for public use through eminent domain on September 1, 2013;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE BRACKETT INDEPENDENT SCHOOL DISTRICT:

1. That the Board of Trustees authorizes the Superintendent to submit to the Comptroller the letter attached to this Resolution in order to retain the ability to exercise the power of eminent domain granted by the Texas Constitution and Texas Education Code section 11.155.
2. That it is hereby found, determined and declared that sufficient written notice of the date, time, place and subject of the meeting of District at which this Resolution was adopted was posted at a place convenient and readily accessible at all times to the general public for the time required by law preceding this meeting, as required by Chapter 551, Texas Government Code, and that this meeting has been open to the public as required by law at all times during which this Resolution and the subject matter thereof has been discussed, considered and formally acted upon. The Board of Trustees further ratifies, approves and confirms such written notice and posting thereof.

DULY ADOPTED this 19<sup>th</sup> day of December, 2011, BY:

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Sondra Meil, President

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Dan Laws, Vice-President

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Tony Molinar, Secretary

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Rick Alvarado, Member

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Tony Ashley, Member

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Brad Coe, Member

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Donna Schuster, Member