

§251.003 Trans Code
§252.214 Trans Code

IN THE COMMISSIONERS COURT
OF SABINE COUNTY, TEXAS

AGREEMENT FOR DONATION OF MONEY,
LAND, LABOR, EQUIPMENT, OR
MATERIALS FOR ROADS IN SABINE COUNTY, TEXAS

BE IT REMEMBERED, that on the 24 day of June, 2020 came on to be considered the donation of Money, Land, Labor, Equipment or Road Building Materials to Sabine County, Texas, by Dogwood Forest Estates, LLC, the owner thereof, hereinafter referred to as the Donor. After careful consideration, the Commissioners Court of Sabine County, Texas, has determined that the donation, described as follows: Limestone Road Base

is suitable to aid road building or maintenance and that the application of same to county roads would improve the all weather capabilities of said roads, and thereby serve a public benefit.

BE IT THEREFORE ORDERED, ADJUDGED and DECREED, that the donated item has a reasonable cash market value of \$5,100.00. (Donations valued at more than \$500.00 will be reported by Sabine County to the IRS on form 8282. Donors should report such donations on IRS form 1040, Schedule A, or IRS Form 8283.)

In return for the donation of materials by the Donor named above, Sabine County, Texas, acting by and through its Commissioners Court and its officers and employees, shall be permitted to enter upon private properties owned and/or operated by the named Donor for the purpose of collecting road building materials, or to perform necessary work related to the building or maintenance of county roads. In this regard, removal of the road material by Sabine County, and the right to ingress/egress upon the property of the Donor for removal of the material to original, shall constitute satisfactory consideration sufficient to support a purchase of material pursuant to §251.003, and §252.109 or §252.214 of the Texas Transportation Code, V.A.C.S. To this end, the Donor grants a limited right of ingress, egress and access upon and across private lands necessary to permit the collection, loading, and hauling of road building materials. Sabine County and its officers and employees shall exercise reasonable care in the collection of said materials, and shall be liable only for unreasonable damage to lands committed by ordinary negligence.

Road building materials received by the county pursuant to this agreement shall only be applied to public roads maintained by the County. Discretion as to which county maintained roads shall receive the improved road building materials shall remain solely in the Commissioners Court, subject to considerations based upon traffic load, costs and availability of materials.

Donations of Money shall be applied to public road maintenance or other related expenses as the Commissioners Court may, in its discretion, deem appropriate to carry out the public purpose of maintaining a public road system in Sabine County, Texas.

Executed this 24 day of July, 2020

APPROVED BY DONOR:

Mary Allen, Treasurer
Donor Dogwood Forest Estates, LLC

Accepted by:

July 27, 2020

Daryl Melton

Daryl Melton
Sabine County Judge

