

BD 6.12	POLICY REGARDING SALE OF SURPLUS REAL PROPERTY BY NTTA	Resolution Number	11-92
		Resolution Date	06/15/2011
		Effective Date	06/15/2011
		Revision Date	
		Procedure Number	BD 6.12 A

PURPOSE	<p>The purpose of this policy is to ensure that the sale of surplus real property by NTTA: (i) complies with the Texas statutory mandates and requirements, (ii) does not jeopardize or negatively impact the safe and efficient operation or maintenance of NTTA facilities, and (iii) does not impair the preservation of NTTA real property for existing or future transportation-related uses planned or identified by the NTTA or other transportation or governmental entities.</p>
POLICY STATEMENT	<p>The NTTA shall review and evaluate all proposed sales of surplus real property owned by the NTTA based on criteria and requirements that (1) are intended to ensure that a proposed sale does not jeopardize or negatively impact the safe and efficient operation of NTTA toll roads or facilities, or impair the preservation of NTTA real property for existing or future transportation-related uses planned or identified by the NTTA or other transportation or governmental entities, and (2) seek to ensure that the NTTA obtains proper compensation for the sale of surplus real property.</p> <p>The sale of surplus real property will be documented in written agreements acceptable to the NTTA.</p> <p>The NTTA shall follow all applicable statutory requirements in the sale of surplus real property.</p> <p>The NTTA shall impose deed restrictions on surplus real property sold by the NTTA as necessary, in the sole opinion of the NTTA, to prevent the placement of billboards within view of the traveling public on any NTTA turnpike project.</p>
RESPONSIBILITIES	<p>The NTTA Maintenance Department will execute this policy.</p> <p>The Board shall approve all sales of surplus real property as permitted under this policy.</p>

SCOPE	<p>Except as specified below, this policy applies to initiatives by NTTA to sell surplus real property which is not required in connection with NTTA operated or maintained toll roads or other NTTA facilities.</p> <p>Without limiting the generality of the foregoing, this policy applies also to the sale of NTTA-owned real property to other governmental entities; however, NTTA staff shall evaluate another governmental entity's request to purchase NTTA-owned real property by applying only the criteria and analyses set forth in this policy and its associated procedures that are appropriate for the particular request. In all events, staff shall ensure that the proposed purchase by the government entity does not materially and adversely affect the safe and efficient operation or maintenance of NTTA facilities.</p> <p>This policy does not govern the sale or lease of mineral rights.</p> <p>This policy does not apply to the sale of surplus or salvage personal property.</p> <p>This policy does not apply to the use of NTTA-owned real property by public utilities, as defined by Section 11.004 of the Texas Utilities Code, which uses typically shall be documented in a utility adjustment agreement or utility permit.</p> <p>This policy does not apply to agreements to allow uses of NTTA rights-of-way for limited amounts of time; such uses are governed by the "Policy Regarding Use of NTTA Rights-of-Way By Individuals or Other Entities."</p>
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