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## HOW TXDOT'S RIGHT-OF-WAY ACQUISITION PROCESS WORKS

With any TxDOT project, the process of acquiring right of way (ROW) to make room for a new road, or expand an existing one, is about the same. The difference in the I-35 project is the enormity of the job.

In the Waco district alone, 94 miles of ROW must be acquired, amounting to nearly 1,500 individual cases. To complete the project, TxDOT ROW experts from across Texas have joined the I-35 team. That team consists of agents, appraisers, project managers and relocation specialists who work with the property owners.

"The right-of-way acquisition process is similar from project to project," Cecil Saldana, TxDOT ROW supervisor, explains. "But, the various entities and property owners are unique to each job. No one property — and no one property owner — is the same. With I-35, it's like dozens of unique projects rolled into one."

In many ROW cases, the first time property owners hear that their property is needed is when they are notified of an upcoming public hearing. But before that, a lot of work has already been completed. A schematic has been drawn detailing the project and the land affected by the proposed alignment.

"After the public hearing, TxDOT must receive environmental clearance," Saldana says of the step-by-step process. "Once that phase is completed, along with the approval of a right-of-way map and local cost-participation agreements, approval is granted by the Right of Way Division in Austin to proceed with the acquisition process. Letters go out to individual property owners. At the same time, we hire certified (independent) appraisers who begin to determine the value of each individual property."

As you might expect, property values are of utmost importance to the

## CALENDAR

### July 2-4

All highway construction work suspended for holiday weekend

### July 7

Open bids for Section 1B - Salado (FM 2268 to FM 2484)

### Sept. 8

Open bids for Section 3B - Lorena (Woodlawn Rd to FM 2063 + the Waco Brazos River frontage-road bridges)

### Oct. 6

Open bids for Section 3A-2 - Bruceville-Eddy (N. Troy city limit to Woodlawn Rd.)

## LINKS

[Landowner Resource Documents](#)

[My35.org](#)

[TxDOT](#)

## CONTACT

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owners. So TxDOT conducts a thorough investigation of each property, and the owners are encouraged to accompany the appraisers during the assessment process. The department provides a copy of the state's appraisal report to the owner when an offer is finally made. Of course, property owners can always take it upon themselves to have a separate appraisal prepared if they wish.

"Property owners by law have the right to receive just compensation for their property," Saldana says. "In some cases, an agreement is reached relatively soon after the appraisal report is presented to the owner. However, individuals have the right to make one counteroffer."

In some instances, an offer cannot be agreed upon. In those cases, a special commissioners' hearing will determine the value of the property being acquired.

Several publications are available to help landowners understand the ROW acquisition process. They include *The State of Texas Landowner's Bill of Rights*, from the State Attorney General's Office, and the *State Purchase of Right of Way* from TxDOT. The booklets are in .pdf form and can be downloaded from [TxDOT's web page](#).

Another booklet, entitled *Relocation Assistance*, helps homeowners and business owners who must relocate following a ROW acquisition. (An article about that process will appear in the next issue of this newsletter.)

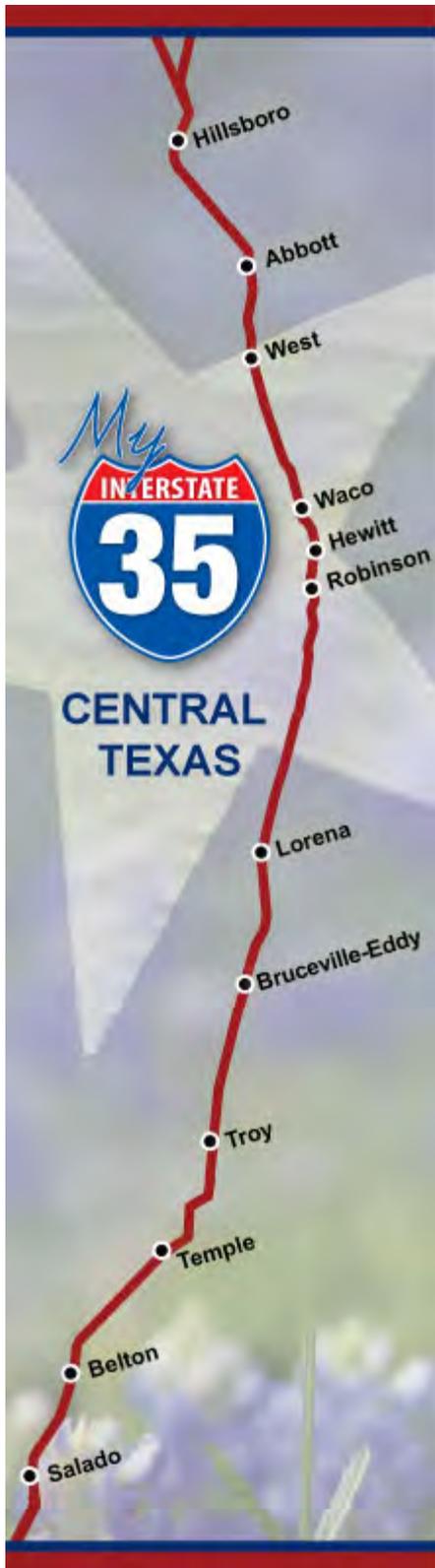
"We realize that acquiring property from citizens can be a very emotionally charged process, and we are extremely sensitive to that," Saldana says. "Yes, we have a job to do . . . but our main concern is to help property owners with every concern they have. We want to help them understand the process and try to make this as pain-free as possible."

## HIGH-SPEED RAIL: ONE WAY TO RELIEVE I-35 CONGESTION?

Rail has long been considered a key component for relieving congestion on Texas' major thoroughfares, but in the last few years efforts have become decidedly more focused on actually developing sophisticated rail systems that crisscross the state.

In 2009, the 81st Legislature recommended that TxDOT form a rail division and develop a plan that would lay the foundation for potential development of not only improved freight rail service but also High Speed Intercity Passenger Rail (HSIPR) service for Texas. The Texas Rail Plan (TRP) was approved by the Transportation Commission in November 2010.

Since then, TxDOT has received more than \$53 million in federal grants to study the potential for improved rail infrastructure. Included in this amount is a \$5.6 million planning grant — received in October 2010 — to



explore possible routes for high-speed intercity passenger rail service on the South Central corridor that roughly parallels I-35 from Oklahoma City to San Antonio. The study area will extend into South Texas to the Gulf Coast and the border area. Texas has two federally designated future high-speed rail corridors — the South Central and the Gulf Coast from Houston to New Orleans.

TxDOT Rail Division Director Bill Glavin states that developing the South Central corridor would be particularly beneficial for relieving congestion along I-35.

“It just makes sense to provide high-capacity, high-quality service and accommodations through a high-speed rail service, particularly adjacent to Texas’ most congested highways,” says Glavin. “And I-35 meets the criteria of being among the most congested of highways in Texas.” But not just I-35, he notes. Exploring high-speed rail for congestion relief can benefit the entire state.

“High-speed rail is a strategic component in the future of Texas transportation,” says Glavin. “Now that we have a rail plan, Texas can be more competitive in garnering the federal funds that are needed to advance the development of high-speed rail in the state. Other routes that are being studied are Houston to Austin along US 290 and Dallas to Houston along Interstate 45.”

The most recent award came in May — a \$15 million federal grant to conduct preliminary engineering and environmental studies on a potential HSIPR route from the Dallas/Fort Worth area to Houston. This corridor was ranked 10th in the nation in terms of the greatest demand for a high-speed passenger rail system. In addition:

- \$34 million will go to the Fort Worth Tower 55 project for improvements to ease congestion and improve safety
- \$4 million in high-speed stimulus funds to adjust signal timing for several at-grade crossings for Amtrak’s Heartland Flyer
- approximately \$7 million from the 2009 appropriations bill to lay additional track along a portion of the Trinity Rail Express (TRE) in Fort Worth

Texas also received \$2 million for projects on the state owned South Orient Railroad in West Texas.

## **I-35 EXPANSION AFFECTING TROY, TEXAS; WHAT TXDOT'S DOING TO HELP**

One city facing major changes because of the I-35 Expansion Project is Troy, Texas. While I-35’s expansion will have an economic impact on the community, TxDOT is doing its best to help ease the transition.

I-35 runs through Troy, with most of the houses on the east side of town, and businesses and schools on the west side. TxDOT considered

expanding to the east where there were fewer major businesses, but several historic buildings protected by the Texas Historical Commission and the National Historic Preservation Act of 1966 prevented expansion to the east.

“We would much rather have been able to expand the highway right of way to the east of I-35 through Troy,” says Jodi Wheatley, I-35 information specialist with the TxDOT Waco District. “It would be easier and cheaper, as well as being less disruptive for Troy residents. ... but current state and federal regulations won’t allow it.”

TxDOT will let the contract in October and expects construction to begin in early 2012.

According to Jeff Browning, former mayor of Troy, the expansion will cause Troy to lose some local business. Everything from convenience stores to banks to churches to individual homes will be affected.

“The expansion will certainly be disruptive and costly in the short term,” says Browning. “But in the long run, I think the city will benefit. For 15 years we have known TxDOT would widen I-35. Now that we know where the highway will expand, businesses may come to the area, and the city can recover.”

To help Troy deal with the expansion, TxDOT fulfilled many of the city’s requests for accommodations and improvements:

- TxDOT will add curbs and gutters to Church Street and make it a two-way connector road.
- The east side of town has severe drainage issues, so TxDOT redesigned the drainage to prevent houses from flooding.
- TxDOT will widen a bridge to three lanes to ease traffic congestion as motorists travel from homes on the east side to schools on the west side.
- When Troy won a Safe Routes to School grant, TxDOT coordinated with the program to integrate school sidewalks and hike and bike trails.
- When TxDOT moves utilities such as water and sewer lines, Troy can upgrade their lines at a much cheaper cost than putting them in later.
- Plans originally called for removing all Main Street parking. At Troy’s request, TxDOT compromised and will provide either angled parking on one side of the street or parallel parking on both sides.
- TxDOT will put in a U-turn lane near Love’s Truck Stop. TxDOT is also allowing Love’s to continue operation through a lease agreement until the new facility, outside the right-of-way, is built.
- Plans originally called for denying access to city parking close to Main Street and the I-35 frontage road, but TxDOT redesigned the plans to allow it.

“Jodi Wheatley and [TxDOT Waco District Deputy District Engineer] Greg

Malatek have been incredible to work with,” says Browning. “They were very responsive to our concerns and were open to ideas to reduce disruptions. They bent over backward — not what I would have expected from a big government agency. More than just minimizing damage, TxDOT is really trying to help us. It’s in their attitude and their approach.”

While the I-35 Expansion Project will be an important step to improve the congestion problem, TxDOT realizes that cities along the corridor may face economic hardships. “We are making adjustments to the basic plans to make it easier to re-establish commercial development in the future,” says Wheatley. “We want to hear from the communities so we can make this an easier burden for them to bear. Though the expansion is necessary, we know it will be hard on some people and businesses.”

## LANE CLOSURES

### **SECTION 1C: SALADO TO BELTON (FM 2484 TO US 190 IN BELTON)**

- The Connell Street exit ramp from US 190 W (first exit after entering US 190 from southbound I-35) has been permanently closed to allow construction of the new flyover connecting I-35 northbound to US 190 W.
- The inside lane of the US 190 W access road from I-35 to Connell Street is closed to allow construction of flyover support columns.

[View this section's project map \(schematic\).](#)

### **SECTION 5A: WACO TO WEST (N. LOOP 340 TO FM 1858)**

- I-35 northbound Exit 342B will be closed for 6 to 12 months as work progresses at the US 77/I-35 interchange. Exit 342A (Crest Drive/FM 2417) will be open.

### **SECTION 5C: ABBOTT TO SOUTH OF HILLSBORO (FM 1304 TO FM 310)**

- Chatt Road is completely closed and FM 310 is partially closed (one lane in each direction) under I-35 overpasses while cross streets are being rebuilt and turnarounds added.
- Exit 362 to Chatt Rd is closed until new exit and entrance ramps are constructed. Traffic will use Exit 359 (FM 1304) northbound and Exit 364 (FM 310) southbound to access Chatt Rd during the closure.

## MILESTONES

### **SECTION 1C: SALADO TO BELTON (FM 2484 TO US 190/FM 436)**

- The new Rose Lane connection to Amity Rd. is complete.
- Construction of retaining walls at Amity Rd, Tahuaya Rd., Shanklin Rd, and Loop 121 has begun.

View this section's project map (schematic).

### **SECTION 3A-1: TEMPLE TO TROY (N. LOOP 363 TO NORTH TROY CITY LIMIT)**

- Bids opened June 9. Low bidder is James Construction Group (also working on Section 1C: Salado to Belton).

### **SECTION 3C: HEWITT TO WACO (FM 2063/SUN VALLEY BOULEVARD TO S. LOOP 340)**

- The bridge deck for the flyover was completed.
- The road base is complete and pouring the pavement has begun for the northbound mainlanes.
- Overpass beams have been hung for the new crossover near Waco Memorial Park.

### **SECTION 5A: WACO TO WEST (N. LOOP 340 TO FM 1858/TOKIO ROAD)**

- The new frontage roads between N. Loop 340 & BUS 77 are 25 percent complete.
- Beams have been set for the new BUS 77 overpass and forms are being set for the new bridge deck.

### **SECTION 5C: ABBOTT TO HILLSBORO (FM 1304 TO FM 310)**

- The temporary exit for FM 1304 and paving of the new southbound frontage road are complete.
- The FM 1304 crossing under I-35 is open.
- Pavement for the FM 310 crossing under I-35 has been poured.
- Preparation for addition of the new northbound mainlane has begun, and pavement for FM 310 crossing under I-35 is poured.

## DOWN THE ROAD

### **SECTION 1C: SALADO TO BELTON (FM 2484 TO US 190/FM 436)**

- Construction will continue on the retaining walls at overpasses, the support columns for the new US 190 flyover, and the new northbound frontage road from FM 2484 to Shanklin Rd.
- Crews will start drillshafts for the new northbound frontage-road bridge over the Lampasas River.

View this section's project map (schematic).

### **SECTION 3C: HEWITT TO WACO (FM 2063/SUN VALLEY BOULEVARD TO S. LOOP 340)**

- Crews will pour the bridge railing on the new flyover and complete paving the new northbound mainlanes.

### **SECTION 5A: WACO TO WEST (N. LOOP 340 TO FM 1858/TOKIO ROAD)**

- Construction will continue on overpasses at BUS 77, Hilltop Road/Old Dallas Rd and FM 1858/Tokio Road, as well as on the new frontage roads between N. Loop 340 & Hilltop Rd/Old Dallas Rd.
- Construction will begin on overpass over UPRR.
- The bridge deck for the new overpass at BUS 77 will be poured.

### **SECTION 5C: ABBOTT TO HILLSBORO (FM 1304 TO FM 310)**

- The Chatt Road cross-street under I-35 will be rebuilt and reopened.
- Traffic will be shifted to the new southbound frontage road.
- Preparation for adding new southbound mainlane will begin.
- Pavement will be poured for the new FM 310 cross-street under I-35, as well as reopening the crossing and removing the detour.

For more information or to have your email address added to the I-35 information distribution list, please send your request to [Jodi.Wheatley@txdot.gov](mailto:Jodi.Wheatley@txdot.gov).