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IN THE COMMISSIONERS COURT  
OF WISE COUNTY, TEXAS

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

**BE IT REMEMBERED**, that on the \_\_\_\_ day of \_\_\_\_\_, 2\_\_\_\_, came on to be considered the donation of Money, Land, Labor, Equipment or Road Building Materials to Wise County, Texas, by \_\_\_\_\_, the owner thereof, hereinafter referred to as the Donor. After careful consideration, the Commissioners Court of Wise County, Texas, has determined that the donation, Described as follows: \_\_\_\_\_

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 \$\_\_\_\_\_.

In return for the donation of materials by the Donor named above, Wise 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 Wise 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 §81.032, Texas Local Government Code, and §251.003, §251.018 or §251.019 of the Texas Transportation Code. 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. Wise 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 WISE COUNTY, Texas.

In conformity with §251.019 of the Texas Transportation Code, the Commissioners shall, by way of this Order, execute a full release of liability in favor of the donor identified herein.

Executed this \_\_\_\_ day of \_\_\_\_\_, 2\_\_\_\_\_.

APPROVED BY DONOR:

\_\_\_\_\_  
Donor

Accepted by:

\_\_\_\_\_  
Wise County Judge