



STATE OF TEXAS           §

COUNTY OF COMAL       §

**RESOLUTION #2009-05**  
**SUPPORTING LEGISLATION RELATING TO REQUIREMENTS FOR ORDERS**  
**CLOSING, ABANDONING, AND VACATING PUBLIC ROAD**

WHEREAS, Section 251.058 of the Transportation Code regulates closing, abandoning, and vacating of public roads;

WHEREAS, Section 251.058 of the Transportation Code does not establish certain requirements for the orders to be filed in the deed records of the county;

WHEREAS, without certain requirements for the orders to be filed the deed records of the county, the county clerk is unable to properly index orders closing, abandoning, and vacating public roads where the property vests in the owner of the property that abuts the portion of the road being closed; and

WHEREAS, the Comal County Commissioners Court supports legislation amending Section 251.058 of the Transportation Code to establish certain requirements for orders closing, abandoning, and vacating of public roads to be filed in the deed records of the county.

NOW THEREFORE BE IT RESOLVED THAT the Commissioners Court of Comal County, Texas does hereby request that Senator Jeff Wentworth and Representative Doug Miller of the Texas Legislature introduce a bill in the upcoming legislative session amending Section 251.058 of the Transportation Code to establish certain requirements for orders closing, abandoning, and vacating of public roads to be filed in the deed records of the county.

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Danny Scheel, County Judge

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Donna Eccleston  
Commissioner, Pct. #1

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Jay Millikin  
Commissioner, Pct. #2

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Gregory Parker  
Commissioner, Pct. #3

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Jan Kennady  
Commissioner, Pct. #4

ATTEST: \_\_\_\_\_  
Hon. Joy Streater, County Clerk