

BD 6.4	POLICY REGARDING USE OF NTTA REAL PROPERTY BY INDIVIDUALS OR OTHER ENTITIES	Resolution Number	11-93
		Resolution Date	06/15/11
		Effective Date	06/15/11
		Revision Date	
		Procedure Number	BD 6.4 A

PURPOSE	The purpose of this policy to ensure that the use of NTTA real property, including surplus properties (collectively, "Property"), by other parties does not jeopardize or negatively impact the safe and efficient operation or maintenance of NTTA facilities and does not impair the preservation of Property for existing or future transportation-related uses planned or identified by the NTTA or other transportation or governmental entities.
POLICY STATEMENT	<p>The NTTA shall review and evaluate and grant or deny requests by other persons or entities to use NTTA Property based on criteria and requirements that (1) are intended to ensure that a requested use does not jeopardize or negatively impact the safe and efficient operation of NTTA facilities or impair the preservation of 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 fair compensation for the use of its Property.</p> <p>The permitted use of Property by other persons or entities will be documented in written agreements acceptable to the NTTA.</p>
RESPONSIBILITIES	<p>The NTTA Maintenance Department will execute this policy with input from other NTTA departments as needed.</p> <p>The Board shall approve all uses of NTTA Property as permitted under this policy.</p>
SCOPE	<p>Except as specified below, this policy applies to requests by other parties to use NTTA Property.</p> <p>Without limiting the generality of the foregoing, this policy</p>

	<p>also applies to the use of Property by other governmental entities , however NTTA staff shall evaluate another governmental entity's request to use 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, NTTA staff shall ensure that the proposed use 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 disposition of fee title to NTTA properties or the sale or lease of mineral rights.</p> <p>This policy does not apply to the use of NTTA right-of-way 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>
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