

WAIVER OF "TAKINGS IMPACT ASSESSMENT (TIA)
Under the Private Real Property Rights Preservation Act

Comes now _____ owner(s) of the property, located in Pct. ____,
described as _____ (*Property Address or Legal Description*) located in
Tarrant County, Texas.

I(we) have been informed and understand that I(we) have certain rights, as an owner of private real property, under Chapter 2007 of the Texas Government Code, the Private Real Property Rights Preservation Act ("PRPRPA"), effective September 1, 1997.

I(we) understand that county governments are required to expressly consider or assess whether their governmental actions may result in "takings" of private property. I(we) further understand that the PRPRPA also provides a remedy for an owner of a legal or equitable interest in private real property to seek a judicial determination of whether a governmental action constitutes a "taking" and, if so, to ask for invalidation of the governmental action if the county fails to pay the damages assessed.

I(we) further understand that a "taking" is any county action that affects an owner's private real property whether in whole or in part, temporarily or permanently. Any county action, ordinance or regulation that affects an owner's rights as owner of the property, that would otherwise exist in the absence of any action by the county, is actionable. If the action of the county would reduce the value of an owner's private real property by 25 percent or more, I(we) understand that the county is required to prepare a "Takings Impact Assessment" (TIA). If such TIA prepared, the county is required to provide at least 30 days' notice of its intent to engage in any such proposed actions. The notice must be published in a newspaper of general circulation in Tarrant County, and it must include a reasonably specific summary of the TIA.

I(we) further understand that any action is void if such an assessment is not prepared and that, as the owner(s) of the land affected by a county action for which a TIA should be prepared, I(we) have the right to bring a suit against the county within 180 days after I(we) know or should have known about the "taking". If I(we) should choose to bring such a suit, I(we) would be awarded reasonable and necessary attorney's fees, costs of court, and even damages, especially if the action of the county had reduced the value of my land by 25 percent or more. I(we) could also have the county action declared void.

I(we) further understand that current public right-of-way extends _____ feet, parallel and adjacent to _____, a county road, and to meet the requirements included in the Tarrant County Development Regulations, an additional _____ feet of right-of-way will be dedicated upon approval of the requested plat. I(we) also understand that the rights outlined above as well as others, under the PRPRPA, may apply to the _____ feet of right-of-way dedication, as documented on the plat.

In consideration of expediting and shortening the approval process for the platting of the above-described property, I(we), as the owner(s), hereby freely and voluntarily waive these rights, as well as any and all other rights that I(we) may have as the owner(s) related to the PRPRPA for the above-described right-of-way dedication. I(we) specifically request the Tarrant County Commissioners Court to proceed to consider and approve the final plat on the above-described property.

This Waiver is signed on the _____ day of _____, _____.

Owner

Owner

Printed Name

Printed Name

STATE OF TEXAS
COUNTY OF TARRANT

BEFORE ME, the undersigned authority appeared _____ who swore on his oath the above and foregoing SWORN STATEMENT OF OWNERSHIP was true and correct.

Notary Public in and for the State of Texas