Harris County (county) owns, operates, and maintains the Sam Houston Tollway on extensive segments of Beltway 8. The Texas Department of Transportation (department) owns, operates, and maintains the non-tolled frontage roads along Beltway 8.

Texas Transportation Code, §228.011(a) gives the county the right to develop, construct, and operate the Beltway 8 Tollway East project between US 59 North and US 90 East.

Texas Transportation Code, Section 228.011 requires the department to assist the county in the financing, construction, and operation of the project by allowing the county to use state highway right of way owned by the department and to access the state highway system, and requires the county to reimburse the department for its actual costs to acquire the right of way.

Minute Order 109876, dated November 18, 2004, authorized the county to provide funding for schematic design, environmental documentations, final design and to identify the development scenarios that would most effectively and expeditiously provide for the construction of six and eight toll lanes on Beltway 8 northeast quadrant, from east of Old Humble Road to south of US 90E.

The county has completed the schematic design, environmental documentations, and final design. The department has completed the review of the plans, specifications and estimates for the final design of the facility and has received approval of the environmental documents.

The county has committed to fund, award construction contract, operation and maintenance; and to reimburse the department to utilize the department’s highway facility. This amount equals the department’s actual cost to acquire the right-of-way from 0.15 mile east of Old Humble Road to 0.88 mile south of US 90E.

IT IS THEREFORE ORDERED that the area between the existing frontage roads to be used by the county within the limits on Beltway 8 from 0.15 mile east of Old Humble Road to 0.88 mile south of US 90E, is hereby removed from the state highway system.

IT IS FURTHER ORDERED that the executive director of the department is hereby authorized to enter into an agreement with the county pursuant to Transportation Code, §228.011, for the use of state owned right of way by the county to develop, construct, operate, and maintain the Beltway 8 toll project from 0.15 mile east of Old Humble Road to 0.88 mile south of US 90E as part of the county road system.
IT IS FURTHER ORDERED that the executive director of the department is hereby authorized to license the county to use the state’s right-of-way and to enter into an agreement with the county to fund, award construction contract, operate and maintain Beltway 8 six and eight toll lanes and to reimburse the department to utilize the department’s highway right-of-way facility in the amount of $5,476,620.00.