



## December 17, 2025 AGENDA ITEM #8

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Approve an amendment to the Right-of-Way License from Capital Metropolitan Transportation Authority on 183 Toll required for the rail crossing relocation included in the Texas Department of Transportation's 183A General Purpose Lane Project

Strategic Plan Relevance:	Collaboration
Department:	Engineering
Contact:	Mike Sexton, P.E., Director of Engineering
Associated Costs:	N/A
Funding Source:	N/A
Action Requested:	Consider and act on draft resolution

**Project Description/Background:** The CTRMA owns and operates a shared use path along 183A from the north side of Brushy Creek extending northward to FM 1431. The shared use path includes a pedestrian and bicycle crossing of the railroad operated by the Capital Metropolitan Transportation Authority ("CapMetro") south of Brushy Creek Road.

The Texas Department of Transportation ("TxDOT") is currently constructing continuous frontage roads along 183A from Avery Ranch Boulevard to FM 1431 (the US 183 General Purpose Lane Project), requiring reconstruction and relocation of the existing shared use path, including the pedestrian and bicycle crossing of the CapMetro railroad. To accommodate TxDOT's reconstruction and relocation of the CapMetro shared use path crossing, an Amendment is required to the existing right-of-way license agreement between the CTRMA and CapMetro to depict the revised conditions.

**Previous Actions & Brief History of the Program/Project:** CTRMA Board Resolution 08-

42 was adopted July 30, 2008 approving execution of the original right-of-way license agreement by and between the CTRMA and CapMetro for the shared use path railroad crossing.

CTRMA Board Resolution 24-072 was adopted October 30, 2024 approving execution of a Project Development Agreement between CTRMA and TxDOT establishing each agency's rights and obligations with respect to the development, operation and maintenance of the US 183 General Purpose Lane Project.

**Financing:** N/A

**Action requested/Staff Recommendation:** Staff recommends the Board approve the Right-of-Way License Amendment with the Capital Metropolitan Transportation Authority reconstruction and relocation of the CapMetro shared use path crossing south of Brushy Creek Road for the US 183 General Purpose Lane Project.

**Backup provided:**

- Draft Resolution
- License Agreement Amendment
- Board Resolution 08-42
- Board Resolution 24-072

**GENERAL MEETING OF THE BOARD OF DIRECTORS  
OF THE  
CENTRAL TEXAS REGIONAL MOBILITY AUTHORITY**

**RESOLUTION NO. 25-XX**

**APPROVING AMENDMENT NO. 3 TO THE LICENSE AGREEMENT WITH  
CAPMETRO**

WHEREAS, the Mobility Authority owns and operates a shared use path along 183A from the north side of Brushy Creek to FM 1431, which includes a pedestrian and bicycle crossing owned by the Capital Metropolitan Transportation Authority (“CapMetro”); and

WHEREAS, by Resolution No. 08-42, dated July 30, 2008, the Board of Directors approved a right-of-way license agreement with CapMetro for the shared use path railroad crossing south of Brushy Creek Road (the "License Agreement"); and

WHEREAS, the Mobility Authority and the Texas Department of Transportation are pursuing the development, operation and maintenance of the US 183 General Purpose Lane Project which requires the reconstruction and relocation of the shared use path railroad crossing south of Brushy Creek Road; and

WHEREAS, the Executive Director and CapMetro have negotiated proposed Amendment No. 3 to the License Agreement; and

WHEREAS, the Executive Director recommends that the Board of Directors approve proposed Amendment No. 3 to the License Agreement in the form or substantially the same form attached hereto as Exhibit A.

NOW THEREFORE, BE IT RESOLVED that that the Board of Directors approves the proposed Amendment No. 3 to the License Agreement with Capital Metropolitan Transportation Authority for the reconstruction and relocation of the CapMetro shared use path crossing south of Brushy Creek Road, and authorizes the Executive Director to finalize and execute Amendment No. 3 to the License Agreement in the form or substantially the same form attached hereto as Exhibit A.

Adopted by the Board of Directors of the Central Texas Regional Mobility Authority on the 17<sup>th</sup> day of December 2025.

Submitted and reviewed by:

Approved:

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James M. Bass  
Executive Director

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Robert W. Jenkins, Jr.  
Chairman, Board of Directors

**Exhibit A**

**AMENDMENT NO. 3  
TO THE LICENSE TO USE  
RIGHT OF WAY NO. M0808019  
(RAIL)**

THIS AMENDMENT NO. 3 (“Amendment”) made by and between Capital Metropolitan Transportation Authority (“Licensor”), a political subdivision of the State of Texas organized and existing under Chapter 451, Texas Transportation Code, whose address is 2910 E. 5th Street, Austin, Texas 78702 and Central Texas Regional Mobility Authority, a transportation authority and political subdivision for the State of Texas organized under Chapter 451 of the Texas Transportation Code (“Licensee”), acting herein by and through its duly authorized official, whose address is 3300 N. IH-35, Suite 300, Austin, Texas 78705. Licensor and Licensee are referred to in this Amendment individually as a “Party” and collectively as the “Parties”.

**RECITALS**

1. **WHEREAS**, on the 14<sup>th</sup> day of August, 2008, Licensor entered into that certain License Agreement No. M0808019, (as amended, the “**Agreement**”), with Licensee, for the purposes of installing and maintaining an at-grade public shared use bike path (the “**Improvements**”), located within Licensor’s railroad right-of-way, commonly known as the Giddings-Llano Line at Mile Post 80.316, in Cedar Park, Williamson County, Texas
2. The Parties now desire to replace Exhibit “A1” to the Agreement as more particularly set forth below.

**AGREEMENT**

1. **Replacement of Exhibit “A1”.** The Exhibit “A1” referred to in the above referenced Agreement, shall be removed entirely, and replaced with the attached Exhibit “A” dated stamped October 17, 2025, by CapMetro Real Estate & Right-of-Way Manager, Shannon Gray.
2. **Entire Agreement.** The terms of this Amendment are in addition to, and construed together with, the terms of the Agreement. In the event of conflict in any language in the Agreement and this Amendment, the language in this Amendment will control.
3. **Capitalized Terms.** Capitalized items used in this Amendment and not otherwise defined have the meanings assigned to them in the Agreement.

**IN WITNESS WHEREOF**, this Amendment No. 3 has been signed by an authorized representative of each Party, to be effective as of the last signature date below.

***Intentionally Left Blank***

**Amendment No. 3 to M0808019  
CTRMA Shared Use Bike Path  
Brushy Creek Loop @ NB SH-183A  
Mile Post 80.316 in Cedar Park**

**LICENSOR:** **CAPITAL METROPOLITAN TRANSPORTATION AUTHORITY**

By: \_\_\_\_\_  
Shannon Gray  
Manager, Real Estate & Right-of-Way

Date: \_\_\_\_\_

Approved as to form:

\_\_\_\_\_  
Lee Simmons  
Associate Counsel

**LICENSEE:** **CENTRAL TEXAS REGIONAL MOBILITY AUTHORITY**

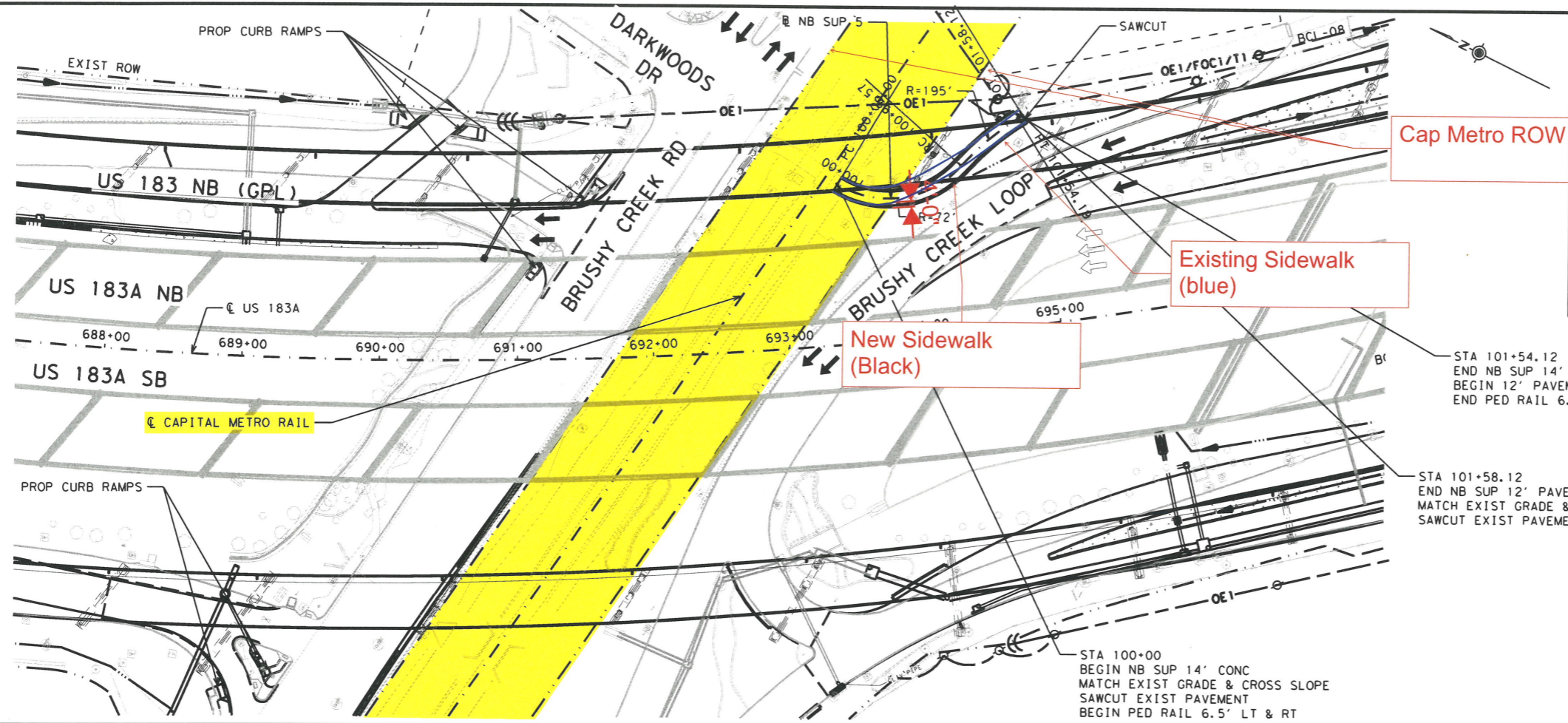
By: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

**Amendment No. 3 to M0808019**  
**CTRMA Shared Use Bike Path**  
**Brushy Creek Loop @ NB SH-183A**  
**Mile Post 80.316 in Cedar Park**



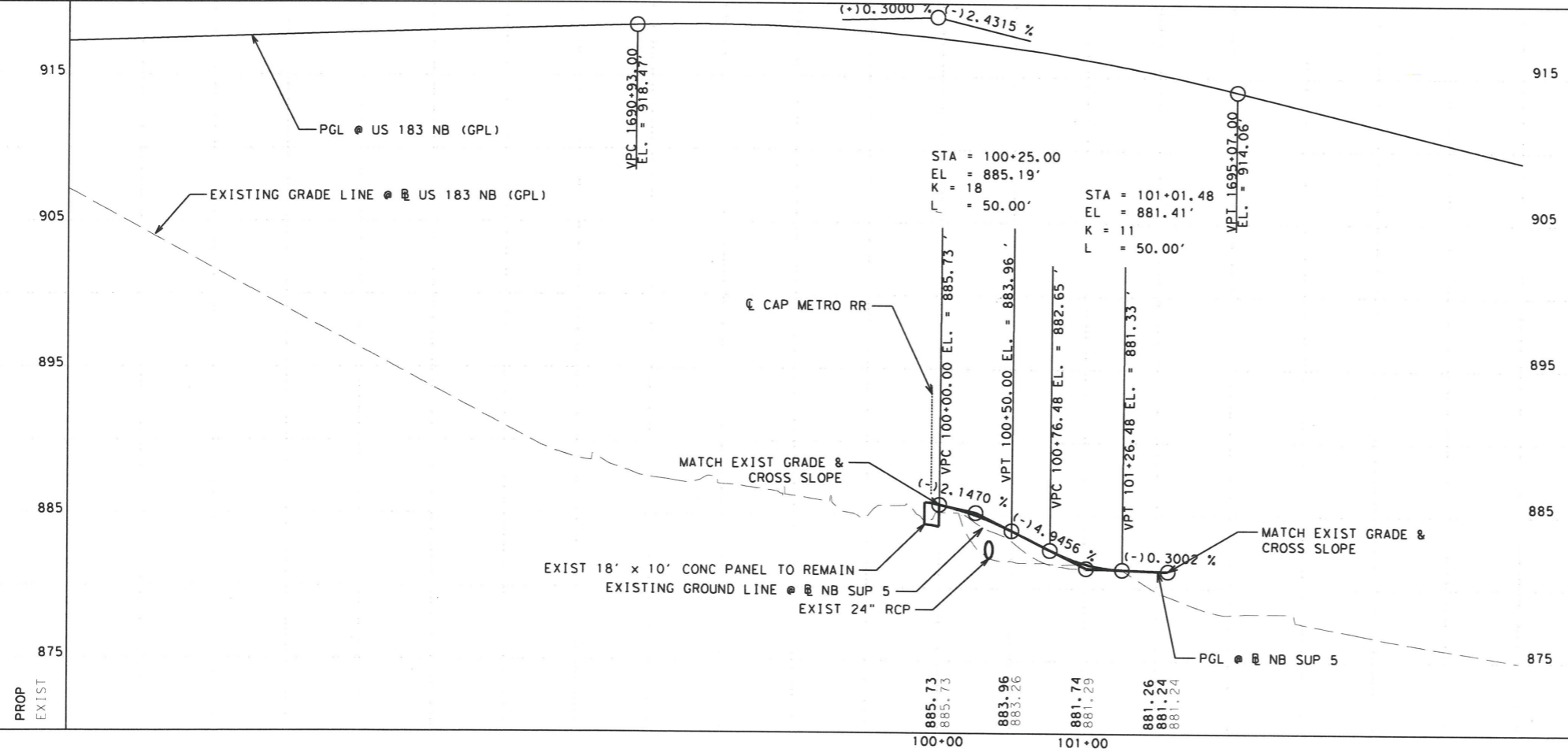
ITEM	DESCRIPTION	UNIT	QTY
162-6002	BLOCK SODDING	SY	351
247-6205	FL BS (CMP IN PLC) (TY E GR 4) (2")	SY	281
450-6052	RAIL (HANDRAIL) (TY F)	LF	317
531-6002	CONC SIDEWALKS (5")	SY	
531-6003	CONC SIDEWALKS (6")	SY	246
531-6005	CURB RAMPS	EA	6
528-6008	COLOR TEXTURED CONC (5")	SY	
529-6005	CURB (MONO) (TY IIO)	LF	
529-6016	CONC CURB (TY C1)	LF	
529-6017	CONC CURB (TY F2)	LF	
529-6018	CONC CURB (TY F3)	LF	

**LEGEND**

- (D-1) CURVE NUMBER FOR THE DESIGNATED ALIGNMENT
- ← EXIST TRAFFIC FLOW ARROW
- PROP TRAFFIC FLOW ARROW

**NOTES**

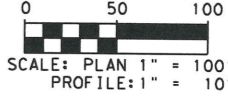
- SEE HORIZONTAL ALIGNMENT DATA SHEETS FOR HORIZONTAL ALIGNMENT DATA.
- SEE PAVEMENT MARKING SHEETS FOR STRIPING AND TRAFFIC FLOW DETAILS.
- EXISTING FEATURES ARE SHOWN SCREENED BACK; i.e. FADED



**EXHIBIT A**



NO.	DATE	REVISION	APPROV.



**MECA**  
MONTALBANO ENGINEERING, CONSULTING & ASSOC., PLLC  
12600 Hill Country Blvd, STE R275  
Bee Cave, Texas 78738



**US 183 GPL  
NB SUP  
PLAN & PROFILE**

SHEET 4 OF 9

DS:	CK:	CON:	SECT:	JOB:	HIGHWAY:
		151	10	001	US 183
DW:	CK:	DIST:	COUNTY:	SHEET NO.:	
		AUS	WILLIAMSON	362	

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