

**FM 1387 STUDY**

*for the Ellis County Commissioners Court*

December 13, 2022

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## **PURPOSE**

This study aims to give the Ellis County Commissioners Court the best and most factual information needed for them to make an informed decision and recommendation to the Texas Department of Transportation (Tx-DOT) regarding the proposed FM 1387 alignment. This study tries to do that by balancing previous and current Thoroughfare Plan goals, providing regional mobility, and the concerns of impacted residents.

In the past 20 + years, three (3) independent consultants and staff vetted this thoroughfare plan, especially the area within the FM 1387 corridor. During that period, each time the thoroughfare plan was either amended or updated, residents were given numerous opportunities to provide their input via multiple public forums and public hearings regarding this proposed alignment along with other thoroughfare segments. When presented for adoption, various Commissioners' Courts approved the elements of each proposed thoroughfare plan and subsequent amendments. Those occurred in February 2001, June 2007, October 2019, and September 2020. When the Commissioners Court adopted each plan, the Department of Development took the lead in executing it and setting the tone and guidance for future mobility. Each proposed subdivision submitted for review has since dedicated the necessary right-of-way to comply with the adopted thoroughfare plan since 2001.

After four (4) hours of public comment on October 18, 2022, the Commissioners Court directed staff to gather additional information to determine the best alignment. In addition, the Commissioners Court appointed the following people to study this further and report back on December 13, 2022:

- The Honorable Kyle Butler, Commissioner – Pct. 4
- The Honorable Randy Stinson, Commissioner – Pct. 1
- Alberto Mares, Director of Planning & Development

## **HISTORY OF FM 1387 – HOW DID WE GET HERE?**

The Texas Department of Transportation (Tx-DOT) built and designated FM 1387 on or around July 15, 1949. Tx-DOT later extended FM 1387 to the east connecting it with FM 664 on or around November 20, 1951.

Based on staff research, the extension of FM 1387 towards IH-35E has been in the works since the early 1990s. FM 1387 first appeared in the North Central Texas Council of Governments (NCTCOG) Mobility Plan 2010, adopted in 1993, as part of a regional transportation plan. On May 10, 2001, NCTCOG officially added FM 1387 to its Regional Thoroughfare Plan, Mobility 2025, via an amendment adopted by the Regional Transportation Council (RTC). At that time, the plan showed FM 1387 connecting to IH-35E through an approximate area now known as the southern alignment (*see Exhibit A*).

FM 1387 first appeared in the 2000 Midlothian Comprehensive Plan approved by the Midlothian City Council at that time, and the Ellis County Thoroughfare Plan, adopted by the Commissioners Court in February 2001. The goal of this extension was to provide an additional east-west connection through the County and extend it to IH-35E to provide better mobility for future County residents. Knowing the regional implications of this road extension, as mentioned above, the North Central Texas Council of Governments (NCTCOG) first placed this extension on its Regional Thoroughfare Plan via an amendment by the Regional Transportation Council (RTC) on May 10, 2001.

Around 2003/2004, Barbara Leftwich, the County Planner at the time, made an effort to have multiple entities involved to make the eastern extension of FM 1387 to IH-35E a reality. As a result, in late 2004/early 2005, NCTCOG, Tx-DOT, the cities of Midlothian and Waxahachie, and Ellis County started working together to make

this extension a priority. Subsequently, each entity decided to include this preferred alignment in the next update to the thoroughfare plan to achieve this common goal.

The execution of those coordinated efforts culminated in 2007, with each entity showing that extension to IH-35E via a southern alignment of the existing FM 1387 on their respective thoroughfare plan updates. This alignment was chosen primarily due to an existing development (La Vista Estates) built in the late 1990s, preventing a direct way from the current FM 1387 (northern alignment). In addition, at the time of the 2007 updates, several new subdivisions had already dedicated the right-of-way along the south alignment, so naturally, it made the most sense to place the proposed alignment through this area. These subdivisions are listed below:

- the Little Creek Farm replat (approved and filed in June/July 2003)
- Cross Creek Phase 7, Section 2 (approved and filed in October 2003/ January 2004)

For the next decade, there was nothing to indicate a shift had occurred regarding any future plans for FM 1387 plans. In 2016, the City of Waxahachie updated its Comprehensive Plan & Thoroughfare Plan, however, the City did not propose any changes from the 2007 plan that continued showing a southern alignment for FM 1387. Two years later, in May 2018, the City of Midlothian also updated its Comprehensive Plan & Thoroughfare Plan. However, they continued to show the south alignment as the eastern extension of FM 1387 towards IH-35E, almost their 2007 plan.

In the Summer of 2018, Tx-DOT held a public meeting to discuss a northern alignment at one of the Midlothian ISD campuses. Before this time, the northern alignment had never been discussed or been on any previously adopted thoroughfare plan for expansion from Midlothian, Waxahachie, or Ellis County. At that time, the Tx-DOT project manager followed the existing alignment without input from the affected communities and without knowing the project's previous history. Staff from those three entities approached Tx-DOT after that meeting and informed them of the prior history of the southern alignment and even showed them the adopted thoroughfare plans from 2007, 2016, and 2018 along with the past coordination of Tx-DOT, NCTCOG, and the three (3) governmental entities dating back to 2004-2005. A considerable gap in institutional knowledge also led to that decision. Since then, with a new FM 1387 project manager, Tx-DOT proposed two alignments and presented those options to the public and governmental entities for feedback.

In late 2018, the County hired a consultant to update its 2007 Thoroughfare Plan, the first update in over 11+ years. The consultant went to multiple community events throughout the County to solicit resident feedback, met individually with each current Commissioners' Court member and past elected officials, and a steering committee to discuss transportation-related issues. In addition to the events mentioned above, staff held five (5) public meetings throughout the County to ensure maximum resident input. These occurred as listed below:

- December 3, 2018 – Ennis Chamber of Commerce Building
- December 5, 2018 – Waxahachie – Multipurpose Room of the Courts & Administration Building
- May 7, 2019 – Midlothian Conference Center
- May 8, 2019 – Ennis Chamber of Commerce Building
- May 15, 2019 – Waxahachie – Multipurpose Room of the Courts & Administration Building

A total of two (2) public hearings were scheduled at the Commissioners Court for the adoption of the 2019 Thoroughfare Plan update, along with a separate date for adoption. The dates for the meetings are listed below, along with the number of residents who spoke regarding this plan:

- September 24, 2019 – Public hearing – A total of four (4) speakers.
- October 1, 2019 — Public hearing – A total of seven (7) speakers.

- October 22, 2019 – Adoption – A total of one (1) speaker.

During these public hearings, no resident nor any of the 11 total speakers mentioned the northern alignment as an alternative option for FM 1387. Instead, most of these speakers spoke about the realignment of FM 1387 east of FM 664 near Mulkey Road.

When Legacy Estates, Phase 2, platted their subdivision on October 22, 2019, they dedicated a large portion of the FM 1387 right-of-way southern alignment, satisfying the City's & County's Thoroughfare Plan. With that dedication, the County secured approximately 33% of the right-of-way for the southern alignment of FM 1387 from Longbranch Drive to FM 664.

On October 22, 2019, after numerous public meetings to solicit public input, the Commissioners' Court adopted an update to its Thoroughfare Plan, the first since the 2007 plan, and continued to support the southern alignment, reaffirming the alignment previously adopted in 2001 and 2007, but directed staff to review that corridor east of FM 664 further, provide a more feasible southern alignment and bring it back alternatives by Late Spring 2020. Below is a summary of that timeline:

- **January 30, 2020** - Staff held its first public forum on the proposed realignment of the southern alignment of FM 1387, east of FM 664.
- **March 16, 2020** – Staff sent an email to the people who left an email address at the January 30 meeting stating that a second public forum meeting, initially scheduled for April 2020, would be postponed due to the ongoing pandemic.
- **Early August 2020** - Staff sends an email to 85 people updating them that due to the ongoing pandemic, an in-person meeting was not feasible and instead scheduling a virtual public forum running from August 24 to September 7 to solicit input via a detailed presentation. That email included a link to an online survey where they could input questions, concerns, etc. Staff presented these items at the meeting on September 22, 2020.
- **September 22, 2020** - After further input from residents and additional public meetings, the Commissioners Court amended its Thoroughfare Plan showing a slightly revised southern alignment for FM 1387 alignment, specifically the area east of FM 664 and Patrick Road, and made that recommendation to Tx-DOT. Unfortunately, despite multiple emails, newspaper notices, and communication with citizens, no residents signed up to speak at this meeting.

During its research for further information, staff discovered at least 25 statements in previously adopted thoroughfare plan documents that support a southern alignment (*see Exhibit B*).

At a meeting on October 11, 2022, the Midlothian City Council shifted their support from the south alignment to the northern alignment based on information solely from the affected residents along the southern alignment and with minimal staff input. At that meeting, one council member asked staff what alignment they recommended, and staff stated they still strongly supported the southern alignment.

The City of Waxahachie will soon update its Thoroughfare Plan, with possible adoption expected by the end of the year. Currently, the City's draft thoroughfare plan closely mirrors the County's alignment of FM 1387, especially the southern alignment. After speaking with their staff on numerous occasions, they do not plan to change their preference and will stick with the proposed southern alignment.

To lessen the spread of any misinformation that may be circulating, staff compiled a set of known facts and information on the following two (2) tables for both the northern and southern alignments. This information comes from either Tx-DOT or the Department of Development (DoD) staff.

**TABLE 1  
KNOWN FACTS AND INFORMATION**

	<b>NORTHERN ALIGNMENT</b>	<b>SOUTHERN ALIGNMENT</b>
<b>*TOTAL DISTANCE</b> <i>(from Longbranch Elem to FM 664)</i>	± 6,800 feet	± 9,600 feet
<b>TOTAL PROJECT ROW</b>	± 22 acres (± 11 acres – new)	± 38 acres
<b>*ROW DEDICATED</b> <i>(per plats; see Table 2 for more information)</i>	± 0.18 acres	± 12.219 acres
<b>PERCENTAGE OF ROW ACQUIRED</b>	± 1.63%	± 32.27%
<b>ROW STILL NEEDED</b>	± 10.82 acres	± 25.781 acres
<b>PROPERTIES AFFECTED BY ROW ACQUISITION</b>	35	14
<b>RESIDENTIAL DISPLACEMENTS</b>	0	0
<b>POTENTIAL AFFECTED PROPERTIES</b> <i>(ROW within 40 feet of residential structure)</i>	2	0
<b>APPROX. OVERALL PROJECT COST</b> <i>(680% federal /20% state – no local cost except 10% of ROW &amp; utilities)</i>	\$131,000,000	\$136,000,000
<b>APPROX SEGMENT COST</b>	\$22,000,000	\$28,000,000
<b>APPROX. ROW ACQUISITION COSTS</b>	\$1,100,000 + x**	\$1,800,000
<b>APPROX. UTILITY RELOCATION COSTS</b>	\$5,100,000 + x**	\$1,700,000
<b>APPROXIMATE COUNTY CONTRIBUTION</b> <i>(based on ROW &amp; Utility Relocation)</i>	\$620,000 + x**	\$350,000 – y***
<b>*MEDIAN TENURE OF RESIDENTS WITH IMMEDIATE ADJACENCY</b>	11 years, 3 months <i>(July 11, 2011)</i>	2 years, 8 months <i>(February 14, 2020)</i>
<b>THOROUGHFARE PLAN STATEMENTS SUPPORTING ALIGNMENT DIRECTION</b>	0	25
<b>COMPLIES WITH THE 2000-01 THOROUGHFARE PLAN</b>		✓
<b>COMPLIES WITH THE 2007 THOROUGHFARE PLAN UPDATE</b>		✓
<b>COMPLIES WITH THE 2019 THOROUGHFARE PLAN UPDATE</b>		✓
<b>COMPLIES WITH THE 2020 THOROUGHFARE PLAN AMENDMENT</b>		✓

\*Estimated by Ellis County staff

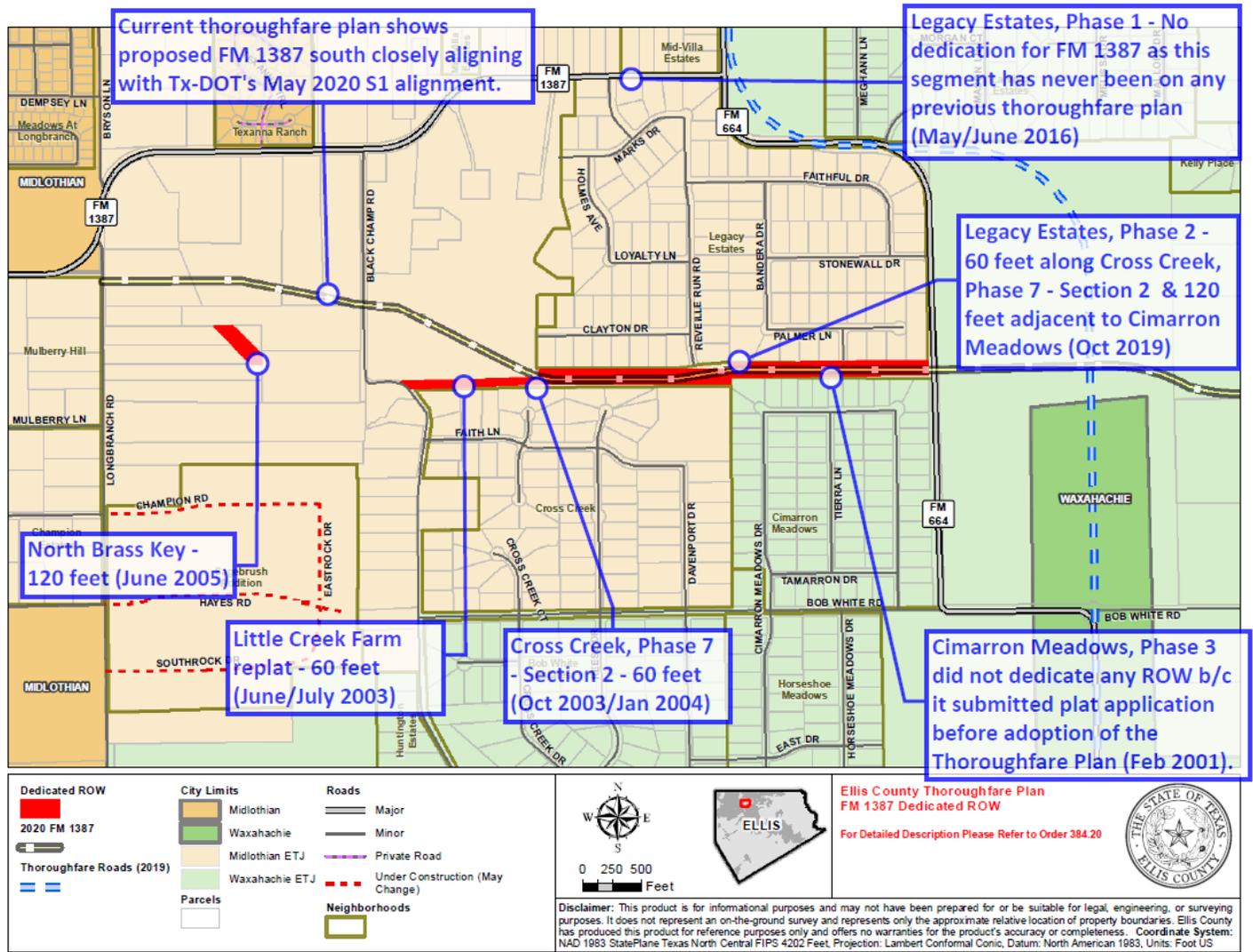
\*\*does not include additional costs that may be incurred by acquiring additional easement/ROW for Rockett SUD waterline

\*\*\* does not include land owned by the County for this segment, which the County can use towards lowering this amount

**TABLE 2  
HISTORY OF RIGHT-OF-WAY DEDICATIONS**

PLAT	NORTHERN ALIGNMENT	SOUTHERN ALIGNMENT
<b>Mid-Villa Estates</b> (Sept 1996)	± 0.18 acres	N/A
<b>Little Creek Farm replat</b> (June / July 2003)	N/A	± 1.052 acres
<b>Cross Creek, Phase 7, Section 2</b> (Oct 2003/Jan 2004)	N/A	± 2.696 acres
<b>North Brass Key Addition</b> (June 2005)	N/A	± 1.184 acres
<b>Legacy Estates, Phase I</b> (May/June 2016)	0 acres (Not on any Thoroughfare Plan)	N/A
<b>Legacy Estates, Phase II</b> (October 2019)	N/A	± 7.287 acres

See the illustration below for history and more information.



## **PANEL MEETINGS**

After the Commissioners' Court formed this panel, the appointed members discussed setting a format that would include a fair representation of the views along both proposed alignments without having one group dominate. After much discussion, the committee met key individuals to understand better the proposed positive and negative impacts along both alignments. Once the committee identified key individuals, staff scheduled meetings based on scheduling availability. Below is a list of the individuals and the dates the committee interviewed them.

- November 2, 2022 – Ronnie Russell & Thomas Burwell
- November 7, 2022 – Charles & Tina King
- November 9, 2022 – Donnie & Amy Lotz
- November 16, 2022 – Clyde Hearn
- November 30, 2022 – Mike & Vickie Dillow and Tim Jackson
- December 7, 2022 – Nelson Underwood and other Tx-DOT staff

The committee spent approximately 20 hours meeting with these individuals to better understand their issues and questions. In addition, the committee spent countless other hours discussing the merits of each alignment amongst themselves and with staff to help answer additional questions. **Table 3, Table 4,** and **Exhibit C** contain a summary of those meetings.

**TABLE 3  
SUMMARY OF PROPOSED NORTHERN ALIGNMENTS PROS & CONS**

<u>PROS</u>	<u>CONS</u>
Uses existing roadway	Does not comply with past adopted Thoroughfare Plans (2001, 2007, 2019, and 2020)
Expands existing roadway capacity	Does not increase overall mobility
	Current traffic patterns are not likely to change, especially during school hours; traffic may worsen at other times
	Increased traffic due to additional stop conditions at intersections
	Does not eliminate the curves or blind spots on the existing road.
	The only alignment to IH-35E would be through an offset intersection located approximately 8/10-mile south
	Residential drive cuts along FM 1387 will remain, leading to increased chances of accidents occurring, with additional traffic projected
	An additional 50-60 feet of ROW is required (11 new acres) for the ultimate desired width (mostly 140-150 feet); any additional right-of-way for this alignment cause displacements
	Higher expense to the County due to relocation of existing utilities; could go higher with a separate waterline easement ( <i>i.e., Rockett Water</i> )
	May cause increased traffic through Legacy Estates to avoid traffic congestion caused by stop conditions at FM 664
	The raised medians and median break locations are not ideal for current residents and established traffic patterns and will lead to residents not being able to access properties as easily as they do now.
	Raised medians will cause additional U-turn traffic, which may lead to additional accidents.
	Raised medians may increase response time for first responders as they navigate dangerous traffic movements to get to the affected location.
	The location of mailboxes on the south side of the northern alignment leads people to cross additional traffic lanes, which is already a safety issue. In addition, residents will have to cross additional traffic lanes to get mail.
	A sound wall along the northern alignment does not make sense due to existing front-facing lots
	Currently, only two (2) displacements. However, any change in design from its current proposal will increase the cost of construction, right-of-way acquisition, and more utility relocation, possibly leading to more displacements.
	Higher pollution due to more cars idling at stop conditions intersections or lighted intersections
	Sets a dangerous precedent of shifting thoroughfares after multiple adoptions and public hearings
	Will cause significant traffic disruption during construction

**TABLE 4**  
**SUMMARY OF PROPOSED SOUTHERN ALIGNMENTS PROS & CONS**

PROS	CONS
Complies with past adopted Thoroughfare Plans (2001, 2007, 2019, and 2020)	If the existing FM 1387 goes off-system, it potentially causes increased maintenance costs for County for that road segment.
Provides the most direct alignment to IH-35E	Overall, this segment is considered a more expensive project.
Increases roadway capacity	There appear to be drainage issues that could be made worse with this new road.
Increases overall mobility locally and regionally	The removal of existing trees and treeline will cause environmental concerns.
Fewer stop conditions along this alignment	The proposed road is located in the vicinity of backyards.
Less pollution due to fewer idling cars and constant traffic movement	A straight road will likely encourage more speeding.
Secured approximately one-third of the southern alignment via ROW dedication from Longbranch Rd to the new FM 664 alignment via previous plat dedications.	Possibility of increased truck traffic
A significant portion of the alignment can fit within the 120 feet right-of-way dedication via previous plats.	Longer overall distance
No displacements with this alignment	More overall acreage
Minimal relocation of utilities required	
The County's cost participation will be considerably less due to the combined cost of ROW acquisition and utility relocation.	
No direct residential access to FM 1387; reduces the chances of accidents occurring on the existing FM 1387 when less traffic exists	
Provides a safer and faster alignment for first responders and residents.	
Mostly straight road, designed to eliminate multiple curves along the existing road, tend to reduce accidents.	
Reduces traffic on the northern alignment and eliminates potentially dangerous U-turns	
Prevents/reduces the cut-through traffic into Legacy Estates.	
Minimal traffic disruption during construction	
Creates a true and safe intersection in the vicinity of Longbranch Road for safer access to Longbranch Elementary ( <i>see Exhibit D</i> ).	
Possibility of creating a safer intersection with Black Champ and FM 1387	
A proposed sound wall should lessen the visibility and noise of increased traffic.	

## **PANEL ANALYSIS**

Although any decision will impact residents in one way or another, this panel learned some new information from the affected residents, Tx-DOT, and other governmental staff. It is not the intent of this committee to negatively affect any resident but to look at the best alignment by balancing previous and current Thoroughfare Plan goals, providing regional mobility, and the concerns of impacted residents.

Some of the concerns shared amongst the north residents are that although they are accustomed to FM 1387 being on their front door, that road was never intended to be widened, according to nine (9) different thoroughfare plans across three (3) governmental entities. They also mentioned safety concerns with the existing road, which include numerous accidents along the blind curves, increased traffic along an already busy road (especially in the mornings), and having to cross traffic to get their mail. If Tx-DOT ultimately chooses the northern alignment, some significant concerns they want addressed are as follows:

- The removal of medians from the expanded roadway
- Increased speeds and cars going into their property
- Increased noise and lights from ongoing traffic
- Placement of any sound walls
- Location of utility easements
- How to safely get out of their property during peak congestion,
- Crossing 4-6 lanes of traffic to retrieve mail from their mailboxes across the street.

Most of the concerns of the residents living along the proposed southern alignment centered on not wanting it in their backyard and not knowing about it when they bought their property, especially along both sides of the dedicated right-of-way that has existed since 2003. A good portion of the right-of-way dedication for this southern alignment was granted as early as 2003 by the developers of the Little Creek Farm replat (John Reese) and Cross Creek, Phase 7, Section 2 – Mike & Vickie Dillow (*see Exhibit E*). Mr. & Mrs. Dillow are the same ones leading the opposition for any southern alignment.

The only affected people along the southern alignment that bought property before any entity adopted a thoroughfare plan were the Kings and Lotz. When the committee spoke to them, they still preferred the alignment on the existing road (northern alignment); however, if it had to go south, they preferred not to have it split their properties.

In speaking with Tx-DOT, a better alignment may exist that does not affect the properties belonging to the Kings or Lotz. A map dated May 2020 shows alternative southern alignments (*see Exhibit F*), with one going just north of the King's property and going to a small body of water. Previously Tx-DOT chose not to proceed with this alignment (the S1 alignment on those maps) due to what they thought, at the time, was an existing detention pond located on the storage warehouse property. Staff researched the permits for that site and determined that although the initial plans showed a proposed detention pond, there were never any civil plans submitted for review or approval. In addition, when Tx-DOT spoke with the property owner, he even stated it was a "borrow pit" and never a detention pond. Therefore, because the property owner did not submit any civil plans, and after speaking with the County Engineer, the County does not recognize it as a detention pond. This solution could be a potential game-changer for this section if Tx-DOT chooses the southern alignment.

In addition, in speaking with Tx-DOT and the City of Waxahachie staff, the letter that a Waxahachie Councilmember sent to Tx-DOT back in October calling for the northern alignment was an individual endorsement and not the views of the Waxahachie City Council. Since then, that Councilmember recanted the

endorsement for the northern alignment after meeting with Tx-DOT and City administration. According to City staff, there has never been any person or group that came and spoke to the City Council in an open session opposing this project. Additionally, a Comprehensive Plan update, which includes an update to their Master Thoroughfare Plan, will follow the County's current southern alignment.

Furthermore, a new proposed development, The Renaissance, is showing their roads aligning with the County's Thoroughfare Plan, which includes the southern alignment, and plans to build that portion through their development. This development will build approximately one-half of the road between FM 664 and IH-35.

### **STAFF RECOMMENDATION**

This detailed report aims to give the Ellis County Commissioners Court the best and most factual information needed for them to make an informed decision and recommendation to the Texas Department of Transportation (Tx-DOT) regarding the proposed FM 1387 alignment. This study tries to do that by balancing previous and current Thoroughfare Plan goals, providing regional mobility, and the concerns of impacted residents.

There is no perfect outcome regarding this proposed alignment, and there are solid reasons for and against each proposed alignment. However, after much review of the current facts and information, speaking with affected residents and Tx-DOT, and from a cost-benefit perspective, the proposed southern alignment makes the most sense locally and regionally.

A part of that recommendation in the detailed report will be as follows:

- Recommend no change to its currently adopted Master Thoroughfare Plan, last amended on September 22, 2020.
- Recommend Tx-DOT follow the Alternative South Alignment 1 (S1) option, as depicted on a 2020 Tx-DOT map labeled "*FM 1387 South Alternative Alignments*", dated May 22, 2020.
- Recommend the placement of the sound wall along both sides along the southern alignment
- Recommend the realignment of Black Champ Road and FM 1387 area near the Kings/Lotz and Marks properties and work with the County on making those changes.
- Work closely with the County to reduce any adverse effects of the drainage in this area.

**EXHIBIT A**  
**EXCERPT OF 2025 NCTCOG MOBILITY PLAN AMENDMENT (2001)**

As Amended by RTC on May 10, 2001.

# Ellis County

Portion in Metropolitan Area Boundry

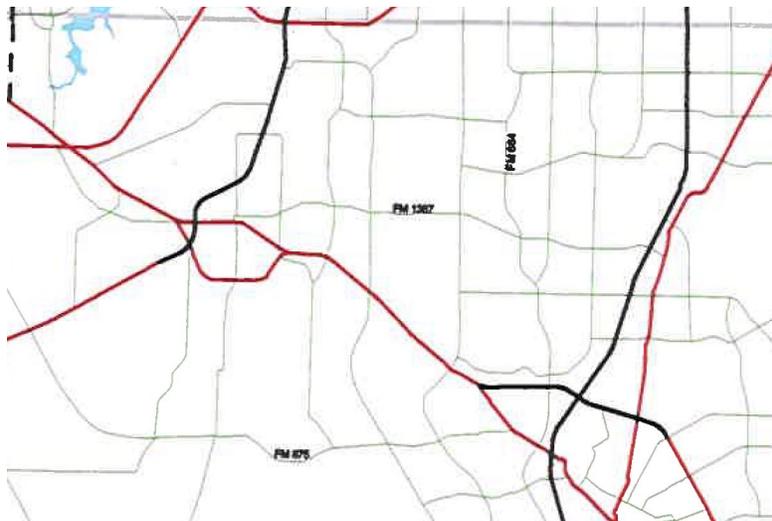
## REGIONAL THOROUGHFARE PLAN



New facility locations indicate transportation needs and do not represent specific alignments.

### LEGEND

- Regional Arterials
- Other Arterials
- Existing Freeways and Toll Roads
- Proposed Freeways and Toll Roads
- Preserve Right-of-Way
- County Boundary
- Metropolitan Area Boundary
- Local government thoroughfare plans vary in these corridors.



**EXHIBIT B**  
**PAST THOROUGHFARE PLAN STATEMENTS**

**2000 Ellis County Thoroughfare Plan Statements**

- ⇒ *"All developments and subdivisions should conform to the basic requirements set forth in the County's Master Thoroughfare Plan" – page 3*
- ⇒ *"Although the original system of streets was functional in its original intent for the various cities, growth within the County has expanded to such an extent that there is a lack of efficient, well-defined traffic collection and distribution alignments through areas outside of the major cities." - page 5*
- ⇒ *"Increased population will increase traffic on the County's roadways. A carefully planned network of roadways can help maintain adequate circulation without sacrificing the County's development potential." – page 13*
- ⇒ *"By coordinating land use and roadway decisions, Ellis County can minimize future compatibility problems between roads and adjacent land uses." – page 13*
- ⇒ *"Careful planning is needed to ensure that Ellis County makes the most cost-effective investments in its roadway network." – page 15*
- ⇒ *"Through better pre-planning of neighborhood areas and with developer coordination, it may be possible to achieve the basic primary & secondary thoroughfare system arrangement recommended by the Master Thoroughfare Plan for Ellis County." – page 15*
- ⇒ *"Continued local efforts will be necessary to finance future thoroughfare development and to require adequate rights-of-way at the time of subdivision platting and development." – page 15*

**2007 Ellis County Thoroughfare Plan Statements**

- ⇒ *"Key issues and unique sub-issues mentioned include the following:*
  - *Preservation of right-of-way for future roadway improvements*
  - *In the northern third of the County, a strong east-west roadway network" – page 2*
- ⇒ *"A majority of the discussions were focused on three important issues for Ellis County with several key discussion points:*
  - *Improved east-west connections across the northern portion of Ellis County*
  - *Greater regional access, and*
  - *Improved connections between Ellis County cities"*
  - *ROW dedication – pages 2-3*
- ⇒ *"Besides being a resource for the County staff in their coordination with Ellis County cities and towns, the countywide plan is an important tool in discussions with state agencies, neighboring counties, interested investors, and regional planning agencies." – page 4*
- ⇒ *"A strong east-west roadway network linking the major highways (Interstate 35E, Interstate 45, and US Highway 67) in the northern third of the County was considered important, but also extending*

*the existing thoroughfare grid network in Dallas County further south into northern Ellis County was seen as an advantage."* – page 5

- ⇒ *"Properly prepare for the growth that is inevitable in Ellis County, especially the northern half of the County"* – page 6
- ⇒ *"Ensure the plans of the municipalities with the County are consistent and compatible with the County's thoroughfare plan."* – page 6
- ⇒ *An east-west connection was deemed a weakness in 2007. "A key north-south movement between Midlothian and Maypearl was identified, as was the lack of necessary east-west capacity in the northern part of the County."* – page 6
- ⇒ *"Without proper ROW preservation activities in place, it is likely that key thoroughfare will be closed to future improvements."* – page 7
- ⇒ *"Likewise, the successes that can be afforded the citizens of Ellis County by having a well-planned thoroughfare system that encompasses the growth goals of the County cannot be overstated."* – page 16

#### **2019 Ellis County Thoroughfare Plan Report**

- ⇒ *"A key component of the thoroughfare plan is to create a mechanism to preserve land for future roadways (right-of-way) so that an effective and efficient roadway network can be developed over time to support growth as it occurs."* – page 6
- ⇒ *"Updates to recommended alignments identified in the plan are allowed, provided they support the long-range goals of network connectivity, safety and mobility, and additional capacity as outlined in the thoroughfare plan's map of roadway recommendations."* – page 7
- ⇒ **Goal 2A-** *"Preserve rights-of-way and other properties for future transportation and supporting infrastructure investments."* – page 10
- ⇒ **Goal 2D-** *"Identify existing roadways that can be realigned and widened to improve connectivity to major highways and alleviate congestion."* – page 11
- ⇒ **Goal 3A & 3B** - *"Create a thoroughfare funding strategy that maintains and develops the thoroughfare network in a fiscally responsible manner." "Identify funding sources to leverage recommended transportation projects and maximize the impact of dollars allocated to transportation improvements in the county."*
- ⇒ *"East-to-west connectivity was identified as one of the top transportation concerns in the county, particularly the need for a direct and contiguous east-to-west connection between US 67 and IH 45 in the northern sector of the county."* – page 35
- ⇒ *"Connectivity was one of the most critical network deficiencies identified in Midlothian's existing thoroughfare network. There are few direct and/or continuous roadway alignments commuters can*

*use to travel north to south or east to west across the City. In order to address these issues, the plan includes, but is not limited to, the following roadway recommendations:*

- *FM 1387 Extension - FM 1387 would be extended as a four-lane arterial roadway eastward from Midlothian to an ultimate connection to IH-35E" – page 53*

⇒ Participants in a survey performed at the 2018 Midlothian Fall Festival identified one of the specific transportation needs within Ellis County as "*improved north-to-south and east-to-west mobility*" – page 65

⇒ "*One of the key elements identified in the 2019 Thoroughfare Plan update indicated support for east-west movement & leveraging key Farm-to-Market and arterial networks to support growth.*" – page 100

**EXHIBIT C**  
**A SUMMARY OF CONCERNS FROM RESIDENTS**  
*(in no specific rank or order)*

- 1) There are already existing drainage problems along the southern alignment, and this new road will cause increased flooding and change water flow.**

*Response: Currently, there are no drainage plans because Tx-DOT has not chosen a specific alignment. Once Tx-DOT selects a specific alignment, they will perform a more detailed drainage study that ensures adjacent properties or roads do not flood. Additionally, all Tx-DOT projects are designed to ensure that post-development runoff equals pre-development runoff.*

- 2) The proposed southern road does not belong behind properties. The existing FM 1387 should be chosen as the preferred alignment as people who lived on that road knew it would widen someday.**

*Response: The northern alignment has never been on any proposed thoroughfare plan for expansion from the City or County. Previously adopted thoroughfare plans have consistently shown the southern alignment since the first thoroughfare plan in 2000, and the Commissioners' Court has adopted plans indicating that preference four (4) times (2001, 2007, 2019 & 2020). Previous subdivisions along the southern alignment dedicated this right-of-way during the platting process according to the adopted Thoroughfare Plan in effect at that time. Residents are ultimately responsible for researching property before buying and should check with local jurisdictions and not rely solely on the word of builders/developers/real estate agents. Unfortunately, many do not do their due diligence. Ultimately, should the County be penalized for doing its due diligence 20 years ago in planning for the growth and mobility of its future residents and reward residents for not doing their own? Additionally, what precedent will be set for similar scenarios in the future if a small group of outspoken residents can move thoroughfares planned for many years on a whim?*

- 3) Removing existing trees and green space will ruin this area proposed as the southern alignment. We will also lose the natural noises from those trees and green space.**

*Response: The existing trees in the proposed southern alignment are likely junk trees (i.e., hackberry, cottonwood, etc.) based on an informal survey performed by staff, but Tx-DOT will conduct a tree survey if they choose this alignment. In addition, existing trees and green space are often removed when new housing developments are built. Unfortunately, anything associated with new growth, new homes, and roads will cause a loss of green space and natural noise. It's a part of development.*

- 4) Both proposed options are close to Longbranch Elementary School and dangerous to the kids.**

*Response: The southern alignment will provide a true intersection design with Longbranch Road and FM 1387 that helps increase traffic safety with a dedicated turn lane. In addition, Tx-DOT may give surplus right-of-way from the old FM 1387 to the school district to create an additional buffer or integrate it into any other plans the school district may have (see Exhibit D).*

- 5) The southern alignment will cost the County and its taxpayers more money. Therefore, the County should select the northern alignment and save the County money.**

*Response: Although the southern alignment portion is \$6 million more overall, the funding for these projects is usually split between the federal and state governments by a ratio of 80%/20%. No County funds will go towards its construction. The County only pays 10% of total right-of-way acquisition and utility relocation costs, similar to other Tx-DOT projects that go through unincorporated areas of Ellis County. Based on this, the northern alignment is more expensive based on the totals provided (see Table 1). In addition, the RTC of the NCTCOG has already pledged \$25 million towards the southern alignment as it has a significant regional impact. The northern alignment does not have the same regional impact. If the County selects the northern alignment, the County could risk losing that money.*

**6) There is no sound wall proposed.**

*Response: Tx-DOT will conduct a noise mitigation study once they choose a specific alignment. Based on meeting strict federal standards regarding sound walls and adjacent noise in the design year, a standard sound wall may be provided based on the majority of the affected properties along wall sections. Additionally, if certain areas do not meet those federal standards, the County could request an alternative that helps screen noise with a combination of a screen wall/landscaping, etc., potentially at its own cost.*

**7) "They said it would never be built."**

*Response: People with no authority over this proposed road had no right to speak on Tx-DOT's behalf. Previous homeowners, developers, builders, real estate agents, and current property owners should have spoken directly with Tx-DOT or the County to get the correct information. In addition, some residents along the southern alignment stated they knew about the proposed road and continued with the purchase anyway (see the answer to Question No. 2)*

**8) This road will cause light pollution.**

*Response: Tx-DOT does not install streetlights.*

**9) This road will cause an increase in truck traffic.**

*Response: "There are currently three (3) primary designated truck alignments in Ellis County: US 67, IH-35E, and IH-45. Secondary truck alignments primarily used by freight operators traveling within the region include US 287 and US 77." – page 32, 2019 EC MTP*

*US 287 will likely be where a large majority of truck traffic continues to go through based on greater speed and less stop & go traffic. Any truck traffic through this corridor will likely be minimal, based on existing and future uses (primarily residential) along this corridor.*

**10) Why did Tx-DOT only design the southern alignment for 120 feet and the northern alignment for 150 feet?**

*Response: Tx-DOT's optimal right-of-way for this type of road is 140-150 feet. Based on the 60% drawings presented at the August 2022 public forum, the northern alignment right-of-way widths range from 140-150 feet (with a few areas of it widening to 180 for drainage), and the southern alignment right-of-way widths range from 120-150 feet (with a few areas widening to 300+ feet for drainage). However, due to previous ROW dedication along the*

southern alignment, they only reduced it to 120 feet along those areas. If any previously dedicated right-of-way along the northern alignment existed similar to the one on the southern alignment, it might also have been reduced through that section. However, since that segment was never on any previous thoroughfare plan, they cannot reduce it.

**11) There will be increased speeds along the straight portions of this road. This will lead to more accidents, and my kids won't be able to play in the backyard.**

*Response: The design speed for this road is 40-45 MPH. It will be up to City and County officials to police the speed on this road, just like every other public street. The likelihood of an accident that causes a car to go into someone's backyard is low, but adding safety features (i.e., guardrails, etc.) should help minimize those concerns.*

**12) Will Tx-DOT consider an alternative design (i.e., roundabout or elevated road design, removing medians, etc.) to its standard design?**

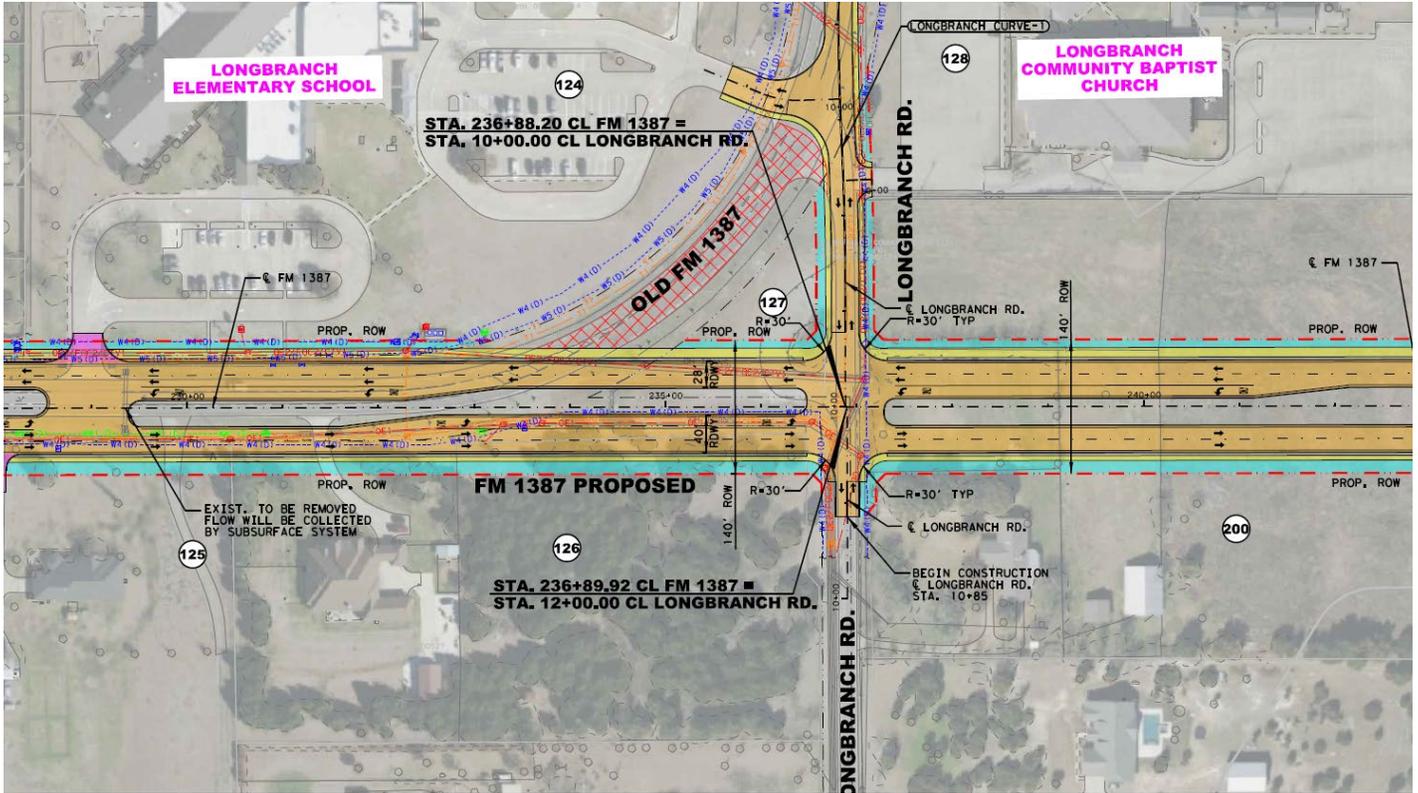
*Response: Any changes to the standard design will likely cause further delays and an increase in cost due to rising construction costs, construction material, right-of-way acquisition, and potentially more utility relocation. The standard design is in place to help increase overall safety and reduce the number of accidents.*

**13) "Things change."**

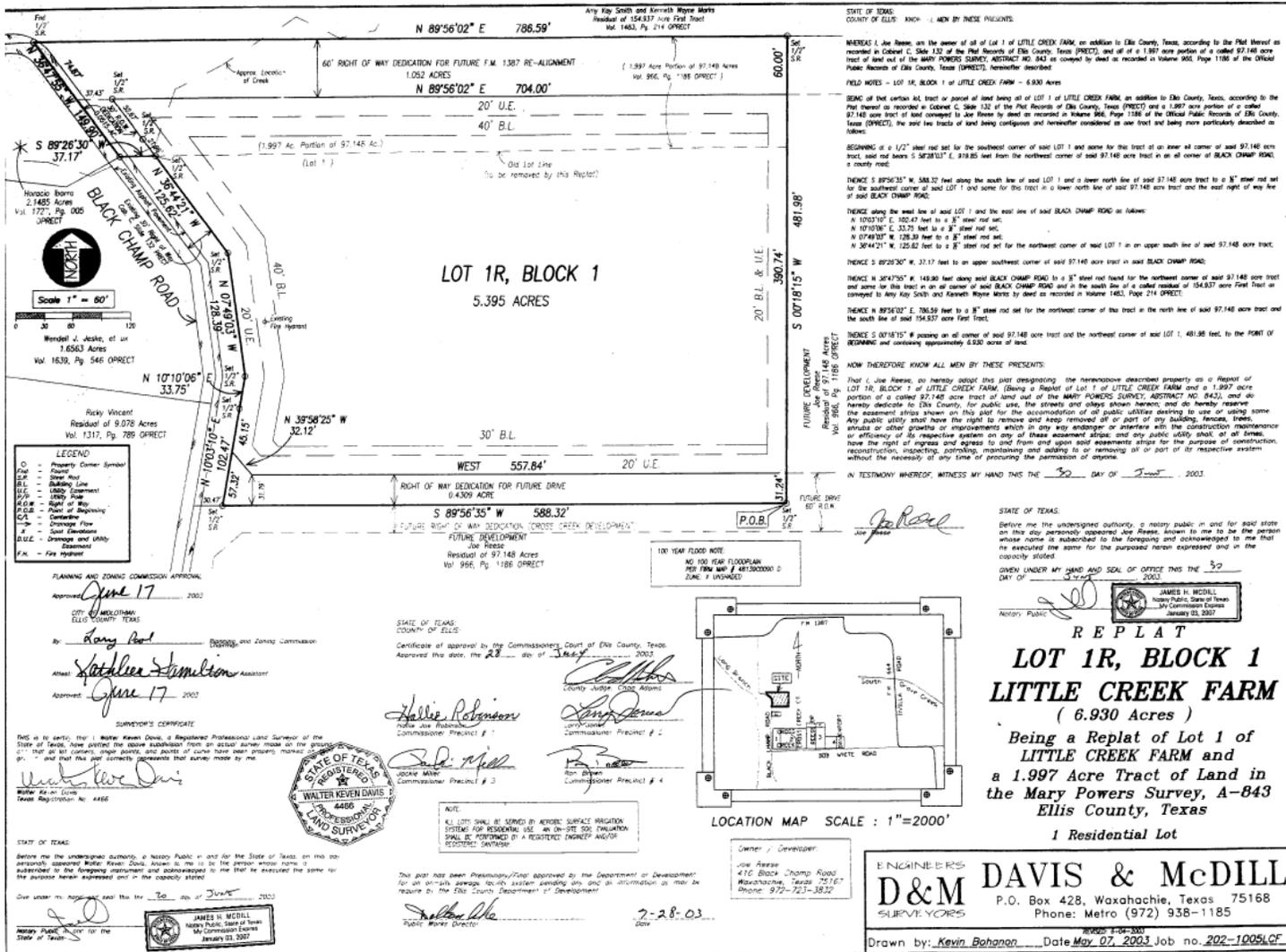
*Response: This road along the southern alignment was planned for 22 years, the right-of-way was dedicated long before these two subdivisions were built, and coordination existed amongst the cities of Midlothian & Waxahachie, Ellis County, NCTCOG, and Tx-DOT to make this road a reality. In the most recent thoroughfare plan updates and amendments (in 2019 & 2020), no one was present at the public hearings to oppose the southern alignment. In 2020, the only issue along the southern alignment was the placement of specific segments, but not with the overall alignment itself.*

*Although we understand that some residents were unaware of the existing situation when they bought their property, the community and Commissioners Court vetted this plan at least four (4) times and spent at least \$500,000 in consultant fees and countless staff time to get this plan to where it is today. Plans vetted by previous community leaders and adopted by previous Commissioners Court should be respected for their importance, vision, hard decisions, continuity, and thinking of the entire community, not just one small segment. In addition, although the Thoroughfare is a living document, per the 2019 Thoroughfare Plan, page 7, "Updates to recommended alignments identified in the plan are allowed, provided they support the long-range goals of network connectivity, safety and mobility, and additional capacity as outlined in the thoroughfare plan's map of roadway recommendations." Also, a significant shift on an established thoroughfare by adjacent residents not wanting it there sets a dangerous precedent, especially after multiple adoptions and public hearings.*

**EXHIBIT D**  
**PROPOSED INTERSECTION OF LONGBRANCH RD AT FM 1387**



# EXHIBIT E PLATS SHOWING FM 1387 DEDICATION

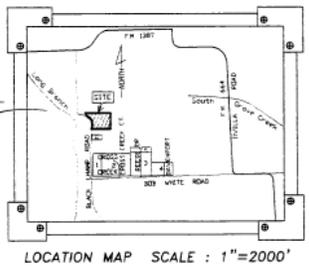


STATE OF TEXAS  
 COUNTY OF ELLIS: KNOW ALL MEN BY THESE PRESENTS  
 WHEREAS I, Joe Reese, am the owner of all of Lot 1 of LITTLE CREEK FARM, an addition to Ellis County, Texas, according to the Plat thereof as recorded in Volume C, 584-132 of the Public Records of Ellis County, Texas (PRECT), and all of a 1.997 acre portion of a called 97.148 acre tract of land out of the MARY POWERS SURVEY, ABSTRACT NO. 843 as compact as recorded in Volume 966, Page 1186 of the Official Public Records of Ellis County, Texas (PRECT); hereinafter described:  
 YIELD UPON - LOT 1R, BLOCK 1 of LITTLE CREEK FARM - 6.930 Acres  
 BEING of the certain lot, tract or parcel of land being out of LOT 1 of LITTLE CREEK FARM, an addition to Ellis County, Texas, according to the Plat thereof as recorded in Volume C, 584-132 of the Public Records of Ellis County, Texas (PRECT) and a 1.997 acre portion of a called 97.148 acre tract of land conveyed to Joe Reese by deed as recorded in Volume 966, Page 1186 of the Official Public Records of Ellis County, Texas (PRECT); the said lot, tract or parcel of land being contiguous and heretofore considered as one tract and being more particularly described as follows:  
 BEGINNING of a 1/2" steel nail set for the southeast corner of said LOT 1 and some for this tract of an owner all corner of said 97.148 acre tract, said set being S 04°23'07\"/>

IN WITNESS WHEREOF, MY HAND THIS 28 DAY of June, 2003

STATE OF TEXAS  
 Before me the undersigned authority, a Notary Public in and for said state on this day personally appeared Joe Reese known to me to be the person whose name is subscribed to the foregoing and acknowledged to me that he executed the same for the purposes herein expressed and in the capacity stated  
 GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS 28 DAY of June, 2003

Notary Public  
 JAMES H. McDILL  
 Notary Public, State of Texas  
 My Commission Expires January 03, 2007

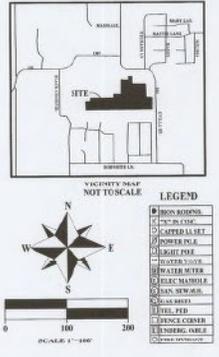
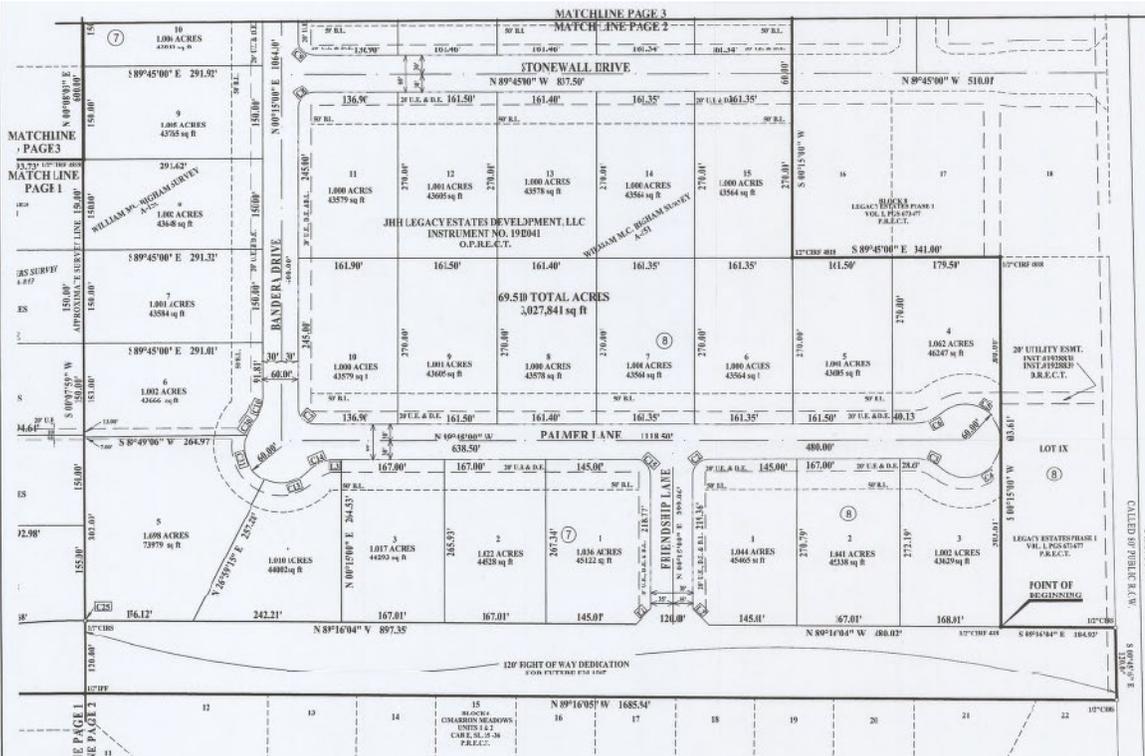


ENGINEERS  
**D & M DAVIS & McDILL**  
 SURVEYORS  
 P.O. Box 428, Waxahachie, Texas 75168  
 Phone: Metro (972) 938-1185  
 Drawn by: Kevin Bohannon Date: May 07, 2003 Job no. 202-1005LCF









ALL SET IRON RODS HAVE A PLASTIC CAP & ARE MARKED '00' OR '10' UNLESS OTHERWISE NOTED

ID	Bearing	Distance
L1	S 45° 29' 25" W	35.21'
L2	S 89° 45' 00" E	35.00'
L3	S 89° 45' 00" E	10.00'
L4	S 15° 45' 00" E	44.50'
L5	S 33° 35' 00" W	34.53'
L6	S 80° 45' 00" W	35.00'
L7	S 12° 43' 00" E	19.00'
L8	N 12° 43' 00" E	30.12'

**FINAL PLAT**  
OF  
**LOTS 1-8, BLOCK 1;**  
**LOTS 11-17, BLOCK 2;**  
**LOTS 1, 8-12, BLOCK 6;**  
**LOTS 1-12, 19-23, BLOCK 7;**  
**LOTS 1-15, BLOCK 8;**  
**LEGACY ESTATES**  
**PHASE 2**  
**69.510 ACRES**

AN ADDITION TO ELLIS COUNTY & WITHIN THE E.T. OF MIDLOTHIAN, ELLIS COUNTY, TEXAS, AND BEING SITUATED IN THE MARY POWERS SURVEY, ABSTRACT NO. 843, THE WILLIAM M.C. BINGHAM SURVEY, ABSTRACT NO. 151, ELLIS COUNTY, TEXAS.

DATE: OCTOBER 1, 2019

**OWNER**  
JH DEVELOPMENT  
P.O. BOX 923  
RED OAK, TX 75154  
CONTACT: CHRISTOPHER REEVES  
TREC REG. NO. 470

**ENGINEER**  
PAPE-DAWSON ENGINEERS  
5900 W. PLANO HWY., STE. 200  
PLANO, TX 75093  
(214) 298-9884  
CONTACT: CHRISTOPHER REEVES  
TREC REG. NO. 470

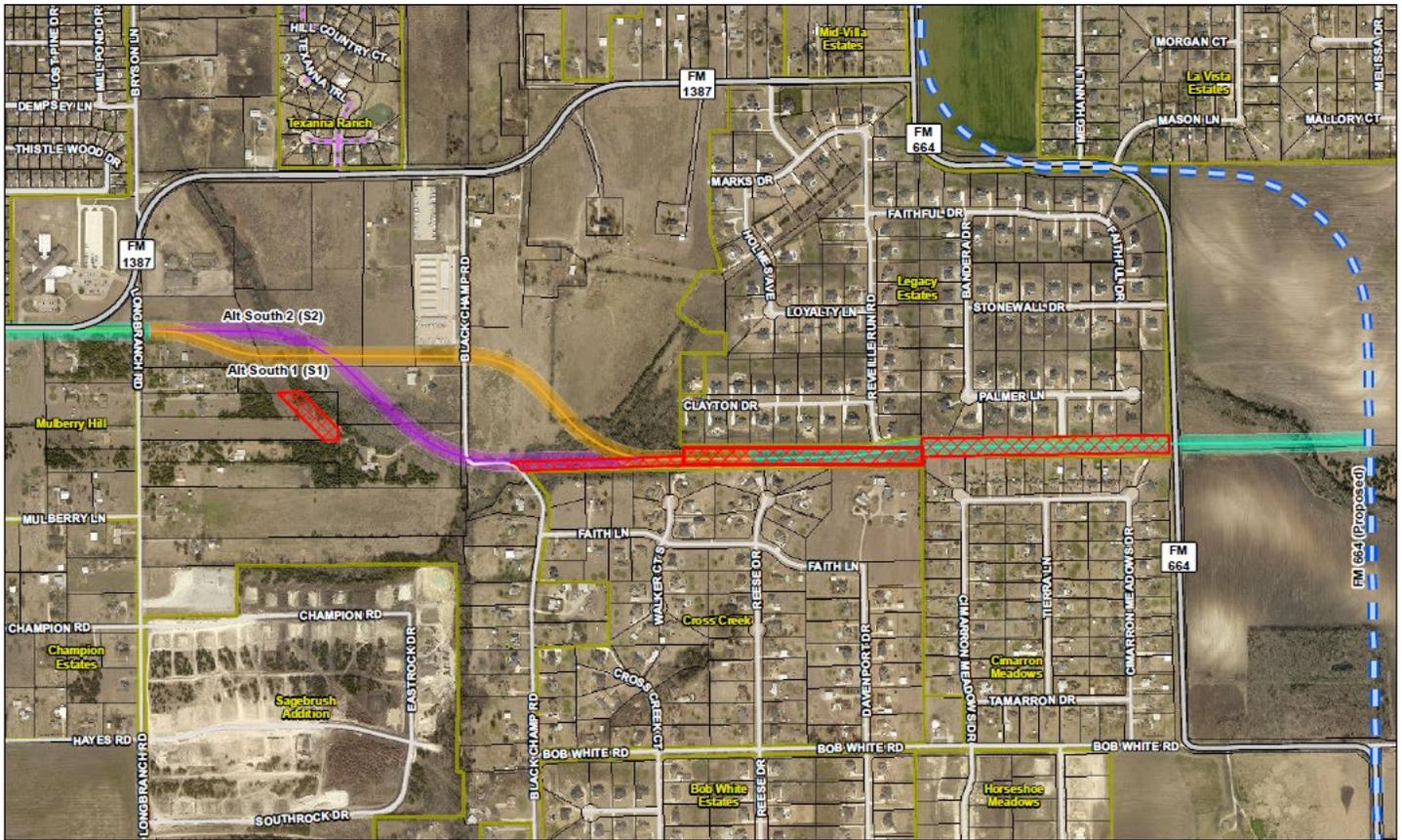
**SURVEYOR**  
WHITFIELD - HALL SURVEYORS  
REGISTERED PROFESSIONAL LAND SURVEYORS  
600 W. 110th STREET, SUITE 101  
FORT WORTH, TEXAS 76116  
817-560-7510  
CONTACT: JOHNNY WILLIAMS

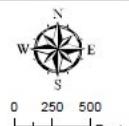
CURVE TABLE				CURVE TABLE			
ID	Delta	Radius	Chord	ID	Delta	Radius	Chord
C1	89° 45' 00"	870.00'	58.60'	C1	90° 00' 00"	25.00'	35.21'
C2	89° 45' 00"	25.00'	35.21'	C2	41° 25' 00"	60.00'	42.43'
C3	89° 45' 00"	25.00'	35.21'	C3	131° 23' 35"	60.00'	117.43'
C4	89° 45' 00"	25.00'	35.21'	C4	41° 25' 00"	60.00'	42.43'
C5	89° 45' 00"	25.00'	35.21'	C5	90° 00' 00"	25.00'	35.21'
C6	89° 45' 00"	25.00'	35.21'	C6	90° 00' 00"	25.00'	35.21'
C7	89° 45' 00"	25.00'	35.21'	C7	90° 00' 00"	25.00'	35.21'
C8	89° 45' 00"	25.00'	35.21'	C8	90° 00' 00"	25.00'	35.21'
C9	89° 45' 00"	25.00'	35.21'	C9	90° 00' 00"	25.00'	35.21'
C10	89° 45' 00"	25.00'	35.21'	C10	90° 00' 00"	25.00'	35.21'
C11	89° 45' 00"	25.00'	35.21'	C11	90° 00' 00"	25.00'	35.21'
C12	89° 45' 00"	25.00'	35.21'	C12	90° 00' 00"	25.00'	35.21'
C13	89° 45' 00"	25.00'	35.21'	C13	90° 00' 00"	25.00'	35.21'
C14	89° 45' 00"	25.00'	35.21'	C14	90° 00' 00"	25.00'	35.21'
C15	89° 45' 00"	25.00'	35.21'	C15	90° 00' 00"	25.00'	35.21'

1. THE BEARINGS FOR THIS SURVEY ARE BASED ON THE BEARINGS OF THE CENTERLINE OF F.M. 1387 AS SHOWN ON THE TEXAS DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP DATED NOVEMBER 17, 1982.

2. NO PORTION OF THE PROPERTY DEPICTED IN THIS SURVEY LIES WITHIN THE 100 YEAR FLOOD PLAIN AS SHOWN ON THE FLOOD INSURANCE RATE MAP FOR ELLIS COUNTY, TEXAS AND INCORPORATED AREAS MAP NO. 40000000, EFFECTIVE DATE 06/16/13.

# EXHIBIT F ALTERNATIVE SOUTHERN ALIGNMENTS



<p><b>TxDOT FM 1387 Alternative Routes</b></p> <ul style="list-style-type: none"> <li><span style="display: inline-block; width: 20px; height: 10px; background-color: #00FF00; border: 1px solid black; margin-right: 5px;"></span> Base Alignment</li> <li><span style="display: inline-block; width: 20px; height: 10px; background-color: #FFA500; border: 1px solid black; margin-right: 5px;"></span> Alt South 1 (S1)</li> <li><span style="display: inline-block; width: 20px; height: 10px; background-color: #800080; border: 1px solid black; margin-right: 5px;"></span> Alt South 2 (S2)</li> </ul> <p><b>Thoroughfare Roads (2019)</b></p> <ul style="list-style-type: none"> <li><span style="display: inline-block; width: 20px; border-bottom: 2px solid blue; margin-right: 5px;"></span> Major Arterial</li> <li><span style="display: inline-block; width: 20px; border-bottom: 1px solid blue; margin-right: 5px;"></span> Minor Arterial</li> <li><span style="display: inline-block; width: 20px; border-bottom: 1px dashed purple; margin-right: 5px;"></span> Private Road</li> </ul>	<p><b>Dedicated ROW</b></p> <ul style="list-style-type: none"> <li><span style="display: inline-block; width: 20px; height: 10px; border: 2px dashed red; margin-right: 5px;"></span> Dedicated</li> </ul> <p><b>Roads</b></p> <ul style="list-style-type: none"> <li><span style="display: inline-block; width: 20px; border-bottom: 2px solid black; margin-right: 5px;"></span> Major Arterial</li> <li><span style="display: inline-block; width: 20px; border-bottom: 1px solid black; margin-right: 5px;"></span> Minor Arterial</li> <li><span style="display: inline-block; width: 20px; border-bottom: 1px dashed purple; margin-right: 5px;"></span> Private Road</li> </ul>	<p><b>Parcels</b></p> <ul style="list-style-type: none"> <li><span style="display: inline-block; width: 20px; height: 10px; border: 1px solid black; margin-right: 5px;"></span> Parcel</li> </ul> <p><b>Neighborhoods</b></p> <ul style="list-style-type: none"> <li><span style="display: inline-block; width: 20px; height: 10px; border: 2px solid yellow; margin-right: 5px;"></span> Neighborhood</li> </ul>	<div style="text-align: center;">  </div> <div style="text-align: center;">  </div> <p style="text-align: center;"><b>Ellis County Thoroughfare Plan FM 1387 TxDOT Alternate Routes</b></p> <p style="text-align: center; font-size: small;">For Detailed Description Please Refer to Order 384.20</p> <p style="font-size: x-small;">             Disclaimer: This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. Ellis County has produced this product for reference purposes only and offers no warranties for the product's accuracy or completeness. Coordinate System: NAD 1983 StatePlane Texas North Central FIPS 4202 Feet. Projection: Lambert Conformal Conic, Datum: North American 1983, Units: Foot US         </p>
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