

IN THE COMMISSIONERS COURT  
OF MCCULLOCH COUNTY, TEXAS

AGREEMENT FOR DONATION OF  
MATERIALS AND LABOR FOR ROADS IN MCCULLOCH COUNTY, TEXAS  
AND RELEASE OF LIABILITY

**BE IT REMEMBERED**, that on the \_\_\_\_ day of \_\_\_\_\_, 2\_\_\_\_, came on to be considered the donation of Road Building Materials and Labor to McCulloch County, Texas, by \_\_\_\_\_, the owner thereof, hereinafter referred to as the Donor. After careful consideration, the Commissioners Court of McCulloch County, Texas, has determined that the donation, described as follows: \_\_\_\_\_

\_\_\_\_\_ is suitable to aid road building or maintenance and that the application of said donation to the benefit of county roads would improve the all-weather capabilities of said roads, and thereby serve a public benefit.

**BE IT THEREFORE ORDERED, ADJUDGED and DECREED**, that the donated item has a reasonable cash market value of \$ \_\_\_\_\_. (Donations valued at more than \$500.00 will be reported by McCulloch County to the IRS on form 8282. Donors should report such donations on IRS Form 1040, Schedule A, or IRS Form 8283.)

In return for the donation of materials and labor by the Donor named above, McCulloch County, Texas, acting by and through its Commissioners Court and its officers and employees, has determined that such materials and labor shall be utilized to conduct repairs and to perform maintenance upon County Road \_\_\_\_\_. In this regard, the donation of material and labor shall constitute satisfactory consideration sufficient to support a donation pursuant to both §252.214, and §251.019 of the Texas Transportation Code, V.A.C.S. To this end, the County also releases the Donor of liability arising from the donation of materials for the performance of repairs and maintenance upon the identifies County Road. The Donor grants a limited right of ingress, egress and access upon and across private lands necessary to permit the collection, loading and hauling of road building material. McCulloch County and its officers and employees shall exercise reasonable care in the collection of said materials, and shall be liable only for unreasonable damage committed by ordinary negligence.

Executed this \_\_\_\_ day of \_\_\_\_\_, 2\_\_\_\_.

APPROVED BY DONOR:

ACCEPTED BY COUNTY

\_\_\_\_\_  
Donor

\_\_\_\_\_  
County Judge

V.T.C.A., Transportation Code § 251.019

§ 251.019. Donations

Effective: September 1, 2013

Currentness

(a) A commissioners court may accept donations of labor, money, or other property to aid in the building or maintaining of roads, culverts, or bridges in the county.

(b) A county operating under the county road department system on September 1, 2013, may use the authority granted under this section without holding a new election under Section 252.301.

(c) A county that accepts donations under this section must execute a release of liability in favor of the entity donating the labor, money, or other property.