

A Resolution: 404(a)

Whereas, Article 1, section 10, clause 3 of the United States Constitution (dated 17 September, 1787) states: *No State shall enter into any Agreement or Compact with a foreign Power;*

Whereas, the “Bill of Rights” Amendment 5 (ratified 15 December 1791) to the United States Constitution states: *nor shall private property be taken for public use, without just compensation;*

Whereas, Amendment 14 respective to “Citizen’s Rights” (ratified 9 July 1868) to the United States Constitution states: *nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws;*

Whereas, the Supreme Court decision in Kelo et al. v. City of New London, Conn., restricted eminent domain to a legal matter of the states respective to private property;
Whereas, Texas H.B. 2702 (enrolled) section 203.066 as applies to Toll Projects, deemed by the Texas Dept. Of Transportation to be a “Public-Private” enterprise, pro-vides for the “taking of real properties’ for private and corporate gains without due process of law nor just compensation, does thereby violate the above stated United States Constitution and Amendments; and in conjunction with Texas H.B. 358 (enrolled) section 370.161, 370.033, 361.307 does enter into contract for “private” gain with the State of Mexico, a foreign power; and furthermore, these two (2) stated legislative acts provide for and explicitly authorize the Trans Texas Corridor Highway Projects to be built, regulated, managed, maintained and controlled both by foreign corporations (i.e. CentralZachry), and foreign interest (i.e. the states of Mexico and Spain) through the expenditure of both public and private funding subsidized through “Toll” activities on previously non-toll routes of transportation;

We hereby resolve to condemn the aforementioned legislative documents as invalid, null and void on the grounds of unconstitutionality, and do as a party demand the Legislative, Executive and Judicial branches of the Governments of the State of Texas and these United States to act upon this matter with extreme prejudice by the will of the people and to without delay pass legislation to revoke these acts and declare publicly their invalidity;

We further resolve that the matters of the Trans-Texas Corridor respective to “Toll” authority should be restricted to new construction and prohibited from the use of “eminent domain”⁴, and that any “for public” seizures of properties whereby a private entity or corporation shall benefit directly, a “fair- market value” must be negotiated between the private property owner and the gaining/seizing entity/ies or authority/ies; and that furthermore, said Trans-Texas Corridor matters should be placed as a nonbinding referendum on the next possible primary ballot to, finally and truthfully, give the people of Texas the right to vote on the Trans-Texas Corridor.

