

TEXAS TRANSPORTATION COMMISSION

Anderson County

MINUTE ORDER

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Tyler District

The Texas Transportation Commission (commission) previously approved the construction of improvements to State Highway 155, from 0.1 miles south of Farm to Market Road 19 to 0.7 miles south of Farm to Market Road 2267, by widening the facility to a four-lane divided highway with depressed median. During pre-construction activities, an archeological field investigation was conducted of a site that had previously been identified as containing artifacts of the Caddo Nation of Oklahoma (the Caddo). During the investigation 10 burials culturally affiliated with the Caddo were identified.

The Texas Health and Safety Code, Section 711.010, requires that before an owner may make improvements to property, any human remains discovered in an unknown cemetery must be moved to a perpetual care cemetery. The department, in consultation with the Caddo, determined the human remains and associated funerary objects must be reinterred as near as possible to the original burial location.

As provided for by Texas Transportation Code, Chapter 203, Subchapter D, Section 203.052, the commission finds and determines that it is necessary or convenient for the mitigation of an adverse environmental effect that directly results from the construction of a state highway, to purchase fee simple title in 10 burial plots at the Frankston City Cemetery.

IT IS THEREFORE ORDERED by the commission that the approval of the purchase in fee simple title of the 10 burial plots is approved by this single order.

IT IS FURTHER ORDERED that the executive director is hereby authorized to proceed to acquire fee simple title for 10 burial plots at the Frankston City Cemetery for purposes of reintering the burials discovered.

Submitted and reviewed by:

*Andy Sahr*  
Director, Environmental Division

Recommended by:

*[Signature]*  
Executive Director

**113043 MAR 29 12**

Minute Date  
Number Passed