

RESOLUTION NO. 2026-_____

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE
CIBOLO CENTER FOR CONSERVATION**

**EXPRESSING SUPPORT FOR THE PROPOSED TEXAS DEPARTMENT OF
TRANSPORTATION IMPROVEMENTS TO THE STATE HIGHWAY 46 (RIVER
ROAD) AND HERFF ROAD INTERSECTION, ENDORSING TXDOT'S DESIGN
ALTERNATIVE 1 (SEPARATE PEDESTRIAN BRIDGE), AND AUTHORIZING
NEGOTIATION OF A PUBLIC-USE EASEMENT**

WHEREAS, the Texas Department of Transportation (TxDOT), in coordination with the City of Boerne and Kendall County, is developing improvements to the intersection of State Highway 46 (River Road) and Herff Road to address growing traffic demand, including the addition of a northbound free-flow right-turn lane from Herff Road and dual left-turn lanes from westbound State Highway 46 onto Herff Road; and

WHEREAS, the congestion at the intersection during peak morning and evening hours affects the safety and mobility of residents, visitors, and emergency responders throughout the Boerne and Kendall County community; and

WHEREAS, TxDOT has presented two design alternatives for accommodating pedestrian and trail users through the improved intersection: Alternative 1, which would construct a new, separate prefabricated pedestrian bridge on private property adjacent to the state right-of-way, and Alternative 2, which would widen the existing bridge into the median; and

WHEREAS, Alternative 2 would require the removal of all existing trees within the Herff Road central island, including four (4) mature bald cypress trees of significant natural, historic, and community value, and would involve greater cost, longer construction duration, and lane closures during construction; and

WHEREAS, Alternative 1 would preserve those heritage cypress trees, would allow flexible placement of the pedestrian bridge to protect additional notable trees and enhance the trail experience, and would physically and visually separate trail users from roadway traffic, improving both safety and the quality of the recreational corridor; and

WHEREAS, Alternative 1 would require the project to obtain the use of approximately 0.25 acres (a corridor approximately 20 to 25 feet in width) of property owned by the Cibolo Center for Conservation located at the southeast corner of the intersection of State Highway 46 (River Road) and Herff Road, City of Boerne, Kendall County, Texas, said tract being more particularly described in the deed recorded under Volume 829, Page 569, Official Public Records of Kendall County, Texas (the "Property"); and

WHEREAS, a public-use easement, rather than a conveyance of fee title, would permit construction and public use of the pedestrian bridge while allowing the Cibolo Center for Conservation to retain ownership and long-term stewardship of the land, including protective terms addressing tree preservation and trail alignment, consistent with the easement framework successfully used for the existing City trail easement granted in December 2009; and

WHEREAS, the mission of the Cibolo Center for Conservation is to protect the natural resources of the Cibolo watershed and to connect the community with nature, and Alternative 1 advances that mission by preserving significant trees, strengthening trail connectivity, and creating an enhanced trail crossing experience; and

WHEREAS, the Cibolo Center for Conservation hereby grants the City of Boerne, its employees, agents, and consultants, a temporary right of entry onto the property for the sole purpose of conducting field surveys, tree inventories, and related route verification activities in support of the proposed pedestrian bridge project, such access to be scheduled within 48 hour advance notice to Cibolo Center for Conservation, to occur during normal business hours, and to be performed in a manner that minimizes disturbance to existing vegetation and conservation resources on the property. This grant of access is for 12 months from approval of resolution and is limited to topographic/tree survey and investigative activities only and does not constitute a conveyance of any easement, right-of-way, or other property interest, nor does it authorize construction, clearing, or ground disturbance beyond that reasonably necessary to complete the survey; and

WHEREAS, the City of Boerne and Kendall County intend to adopt companion resolutions of support, and a clear and timely expression of support from all local partners may enable TxDOT to accelerate the project from its currently programmed letting date of 2032 to as early as 2029;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE CIBOLO CENTER FOR CONSERVATION THAT:

Section 1. The Board of Directors expresses its support for the proposed TxDOT improvements to the State Highway 46 (River Road) and Herff Road intersection and formally endorses Design Alternative 1, the separate pedestrian bridge, as the preferred alternative.

Section 2. The Board of Directors expresses its willingness to negotiate and grant a public-use easement of approximately 0.25 acres over its property for the construction and public use of the pedestrian bridge and associated trail connections, subject to (a) legal review and negotiation of easement terms acceptable to the Cibolo Center for Conservation, including

protective language regarding tree preservation, trail alignment, and permitted uses; and (b) final approval of the easement instrument by the Board of Directors.

Section 3. The President of the Board of Directors is authorized to communicate this resolution to TxDOT, the City of Boerne, and Kendall County; to participate in design coordination; and to negotiate the terms of the easement described in Section 2 for presentation to the Board.

Section 4. The Board of Directors respectfully urges TxDOT to pursue all available opportunities to accelerate the funding and construction letting of this project in advance of its currently programmed 2032 date.

Section 5. This resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED this 3rd day of August, 2026.

A handwritten signature in cursive script, appearing to read "Desiree Whitney".

Desiree Whitney, President, Board of Directors

ATTEST: 
Marilyn Tremper, Secretary