



Texas General Land Office
Commissioner Dawn Buckingham, M.D.
1700 North Congress Avenue
Austin, Texas 78711-2873

GUIDELINES FOR LEASING COUNTY ROADS

- **Mineral interests conveyed with land acquired for a right of way are owned by the State. House Bill 2521 passed during the 84th Legislative Session, requires that the bonus and revenue derived from a lease on county maintained roads, be paid directly to the county.**
- Use the *County Road Lease Application* form if the road you wish to lease is designated as a County Road (e.g., “County Road 181” or “CR 211”) or is a named road (e.g., “Oak St.” or “Maple Ave.”) that the county maintains. If in doubt as to whether a road is maintained by the county, please check with the county.
- Roads crossing county lines require separate application for each county and separate leases will be issued for each county.
- Anyone may apply to lease a county road by submitting a *County Road Lease Application* form and the required materials to the Commissioner of the General Land Office (GLO). The owner of the right to develop the oil and gas in the adjacent land has a preferential right to obtain an oil and gas lease on the county road.
- If the applicant is not the adjacent mineral owner, then the adjacent mineral owner must execute a waiver of his or her preferential right to lease. The waiver must be filed with the GLO.
 - ♣ Note: If land adjacent to a county road tract is unleased, then “adjacent mineral owner” refers to the holder of the mineral estate in the adjacent land. If the land adjacent to a road tract is subject to an existing oil and gas lease, then an “adjacent mineral owner” refers to all working interest (leasehold) owners of the lease on the adjoining acreage.
- No surface use shall be allowed under the provisions of the county road lease.
- A lease will be issued only after the School Land Board approves the lease and the following financial requirements have been met:
 - **Bonus paid to county** and receipt of payment is received at the GLO (Use County Bonus Form). A copy of the receipt of payment from the county will be provided to the applicant with the executed lease.
 - Statutory sales fee equal to 1.5% of the bonus payment, paid to: Commissioner of Texas General Land Office (send with application for lease)
 - \$500.00 application fee paid to: Commissioner of Texas General Land Office (send with application for lease)

Pooling a County Road: A county road lease provides pooling authority. The following must be provided to the GLO within thirty (30) days of the Designation of Pooled Unit being filed of record:

1. Completed *State Right of Way and/or County Road Unit Designation* form.
2. Copy of recorded original Designation of Pooling Unit (DPU), and any/all corrections and amendments.
3. Copy of unit plat with State and County tracts included in the DPU highlighted.
4. \$500.00 Unit Processing Fee (payable to: Commissioner of Texas General Land Office)

See Pooling/PSA section of website for questions.

NOTE: If the State or County owns the surface of a highway or road on Relinquishment Act Land, a lease may be obtained by sealed bid or pooled under Natural Resource Code 32.207

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