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March 29, 1994

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RQ-679

SJS

Honorable Dan Morales
Attorney General of Texas
P. O. Box 12548
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FILE # ML-25567-94

I.D.# 25567

Dear General Morales:

During the oil-boom in East Texas, oil companies built many oilfield roads. As the years went by, citizens built homes whose only access was by virtue of these roads. These citizens now expect local governments (city or county) to use their tax dollars to maintain these roadways.

I would appreciate your issuing an opinion on the following questions:

1. After long continuous usage by the public, does such a roadway become a part of the public domain?
2. If so, what length of time is required?
3. What procedure should a local government go through to declare such a roadway a public right-of-way so that public funds may legally be spent in the maintenance of such roadways?

Thank you for your attention to this question..

Yours very truly,

William R. Ratliff
State Senator

WRR/vf

cc: Billy Silvertooth, City Manager of Clarksville City, Texas