City of Round Rock

221 East Main Street
Round Rock, Texas 78664

Legislation Details (With Text)

File #:	2020-0037		
Type:	Resolution	**Status:**	Approved
File created:	1/23/2020	**In control:**	City Council
On agenda:	2/13/2020	**Final action:**	2/13/2020
Title:	Consider a resolution determining the necessity and authorizing the use of the City's power of eminent domain to acquire fee simple title to a 0.064-acre tract of land from property owned by Market Plaza, LLC, a Texas limited liability company, required for the proposed Gattis School Road Improvement Project, and take other appropriate action (Parcel 26).		
Sponsors:			
Indexes:			
Code sections:			
Attachments:	1. Resolution, 2. Exhibit A, 3. Maps		

Date	Ver.	Action By	Action	Result
2/13/2020	1	City Council	approve	Pass

Consider a resolution determining the necessity and authorizing the use of the City's power of eminent domain to acquire fee simple title to a 0.064-acre tract of land from property owned by Market Plaza, LLC, a Texas limited liability company, required for the proposed Gattis School Road Improvement Project, and take other appropriate action (Parcel 26).

The owners have not provided any substantive response to the City's initial purchase offer letter (10.8.19) or final purchase offer letter (11.18.19) for this parcel. We will make additional requests for response prior to actually filing the condemnation suit, but in order to stay on schedule for overall project right of way acquisition the next step of eminent domain authorization is requested. The fee property owner is represented by attorney Erik Cardinell.

This resolution reserves the City's right to use eminent domain to acquire this tract should it become necessary.

EMINENT DOMAIN MOTION LANGUAGE REQUIREMENTS

Mayor and Council:

The Texas Government Code §2206.053 has very specific requirements for the motion to authorize eminent domain proceedings. In order to make certain that we comply with these statutory requirements, I recommend that the motion to adopt the resolution be read aloud as follows:

"I move that the City Council approve this resolution which authorizes the use of the power of eminent domain to acquire fee simple title to the following parcel of land for construction of proposed improvements to the Gattis School Road Project: a 0.064-acre tract of land from

property owned by Market Plaza, LLC, as described in Exhibit A of the resolution."