Legislation Details (With Text)

File #:	2023-206		
Type:	Resolution	**Status:**	Approved
File created:	6/26/2023	**In control:**	City Council
On agenda:	7/13/2023	**Final action:**	7/13/2023
Title:	Consider a resolution determining the necessity and authorizing the use of the City's power of eminent domain to acquire a 0.097 acre parcel owned by Terrill G. Sladek for the Red Bud South Project.		
Sponsors:			
Indexes:			
Code sections:			
Attachments:	1. Resolution, 2. Exhibit A, 3. Map		

Date	Ver.	Action By	Action	Result
7/13/2023	1	City Council		

Consider a resolution determining the necessity and authorizing the use of the City's power of eminent domain to acquire a 0.097 acre parcel owned by Terrill G. Sladek for the Red Bud South Project.

The City's current appraised value for this parcel is $28,648. The City attempted to negotiated a purchase of the property without the threat of condemnation, which was unsuccessful. To date the owners have not provided any substantive counteroffer proposal to the City's initial offer (3.31.23) or final offer (5.11.23).

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 Red Bud South Project: a 0.097-acre tract of land from property owned by Terrill G. Sladek, as described in Exhibit A of the resolution."