



Legislation Details (With Text)

**File #:** 2015-3055  
**Type:** Resolution                      **Status:** Passed  
**File created:** 11/4/2015                      **In control:** City Council  
**On agenda:** 11/24/2015                      **Final action:** 11/24/2015

**Title:** Consider a resolution determining the necessity and authorizing the use of the City’s power of eminent domain to condemn certain property interests owned by Byron Frank Hall, Katha Lee Lacy and Jay Floyd Hall, located at 501 S. Mays Street which are necessary for the construction of utility improvements to the Lake Creek Wastewater Line, and take other appropriate action.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Resolution

Date	Ver.	Action By	Action	Result
11/24/2015	1	City Council	approve	Pass

Consider a resolution determining the necessity and authorizing the use of the City’s power of eminent domain to condemn certain property interests owned by Byron Frank Hall, Katha Lee Lacy and Jay Floyd Hall, located at 501 S. Mays Street which are necessary for the construction of utility improvements to the Lake Creek Wastewater Line, and take other appropriate action.

The City is seeking a temporary construction easement on this property in order replace the wastewater lines in the existing adjacent permanent easment. We began discussions with Jay Hall in May of 2015 regarding acquisition of the required TCE. An initial purchase offer in the amount of the City's appraised value (\$7,674) was made on September 8, 2015. A final purchase offer for the same amount was made on October 13, 2015. To date we have not been able to negotiate a voluntary purchase for the TCE, and we have received no specific counteroffer amount from the owners. Project construction is underway, and this is the last remaining parcel to be acquired.

Staff recommends approval.