



## Legislation Details (With Text)

**File #:** 2018-5501  
**Type:** Resolution **Status:** Approved  
**File created:** 5/14/2018 **In control:** City Council  
**On agenda:** 5/24/2018 **Final action:** 5/24/2018  
**Title:** Consider a resolution determining the necessity and authorizing the use of the City's power of eminent domain to acquire fee title to 0.158 acre, and a public utility easement interest in and to approximately 0.123 acre, from property owned by Robinson Land Limited Partnership, et al. for the construction of proposed improvements to RM 620, and take other appropriate action (Parcel 1/1PUE).

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Resolution, 2. Exhibit A

| Date      | Ver. | Action By    | Action  | Result |
|-----------|------|--------------|---------|--------|
| 5/24/2018 | 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 title to 0.158 acre, and a public utility easement interest in and to approximately 0.123 acre, from property owned by Robinson Land Limited Partnership, et al. for the construction of proposed improvements to RM 620, and take other appropriate action (Parcel 1/1PUE).

The owners have not responded with a substantive monetary demand to the original purchase offer made on 9.9.16. This is the last remaining parcel for the RM 620 project which does not have an acquisition agreement in place or has otherwise been authorized for condemnation to acquire.

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 and a public utility easement interest to the following parcels of land for construction of proposed improvements to the RM 620 Project: a***

***0.158-acre tract and a 0.123 acre of land from property owned by Robinson Land Limited Partnership, et al., as described in Exhibits A and B of the resolution.***