



Legislation Text

File #: 2020-0280, **Version:** 1

Consider a resolution determining the necessity and authorizing the use of the City's power of eminent domain to acquire fee simple title to 0.148-acre tract of land from property owned by MSF Round Rock - L, LLC, required for the proposed Gattis School Road Improvement (Phase 3) Project.

This property is required for construction of widening improvements to Gattis School Road (Phase 3). The property is designated as Parcel 7. Although we have established contact with the owner's corporate legal offices, I have been unable to obtain a substantive response to our initial (5.22.20) or final (8.14.20) purchase offers despite repeated requests.

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 (Phase 3) Project: a 0.148-acre tract of land from property owned by MSF Round Rock - L, LLC, as described in Exhibit A of the resolution."