



## Legislation Text

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**File #:** 2021-214, **Version:** 1

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Consider a resolution determining the necessity for, and authorizing the use of the City's power of eminent domain to acquire a temporary construction easement interest in 0.199-acre tract of land owned by Ned Davenport and required for Phase 2 of the BCRUA water delivery system project.

The Brushy Creek Regional Utility Authority (BCRUA) is in the process of acquiring easements necessary for the construction of a raw water pipeline that is required to transport water from a future pump station to the BCRUA Water Treatment Plant.

This Purchase Agreement is with Ned Davenport for the acquisition of 0.199 acre along the property for a temporary construction easement that is necessary for the tunnel construction of the project.

There have been no substantive responses to the City's initial offer of \$72,610. If settled on this initial offer amount, Round Rock's portion would be 28.19% which equates to \$20,468.76.

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 a temporary construction easement interest to the following parcel of land for Phase 2 of the BCRUA water delivery system Project: a 0.199-acre tract of land from property owned by Ned Davenport, as described in Exhibit A of the resolution."***