



AGENDA SUMMARY/ REPORT

MEETING DATE: September 8, 2026

PREPARED BY: Otis T. Spriggs, AICP, Director of Development Services

AGENDA CONTENT: Discussion and possible action to adopt Resolution No. 20260609-005 of the Angleton City Council, approving the finding of a public necessity by Angleton Drainage District and approving the use of eminent domain by Angleton Drainage District to condemn in fee simple a tract of 0.169 acres, more or less, of property generally located at the northwest corner of Valderas Street and Brushy Bayou in Angleton, Texas for the public purposes of drainage, flood control, and related purposes. (Item was tabled on August 11, 2026)

AGENDA ITEM SECTION: Regular Agenda Item

BUDGETED AMOUNT: N/A

FUNDS REQUESTED: N/A

FUND: N/A

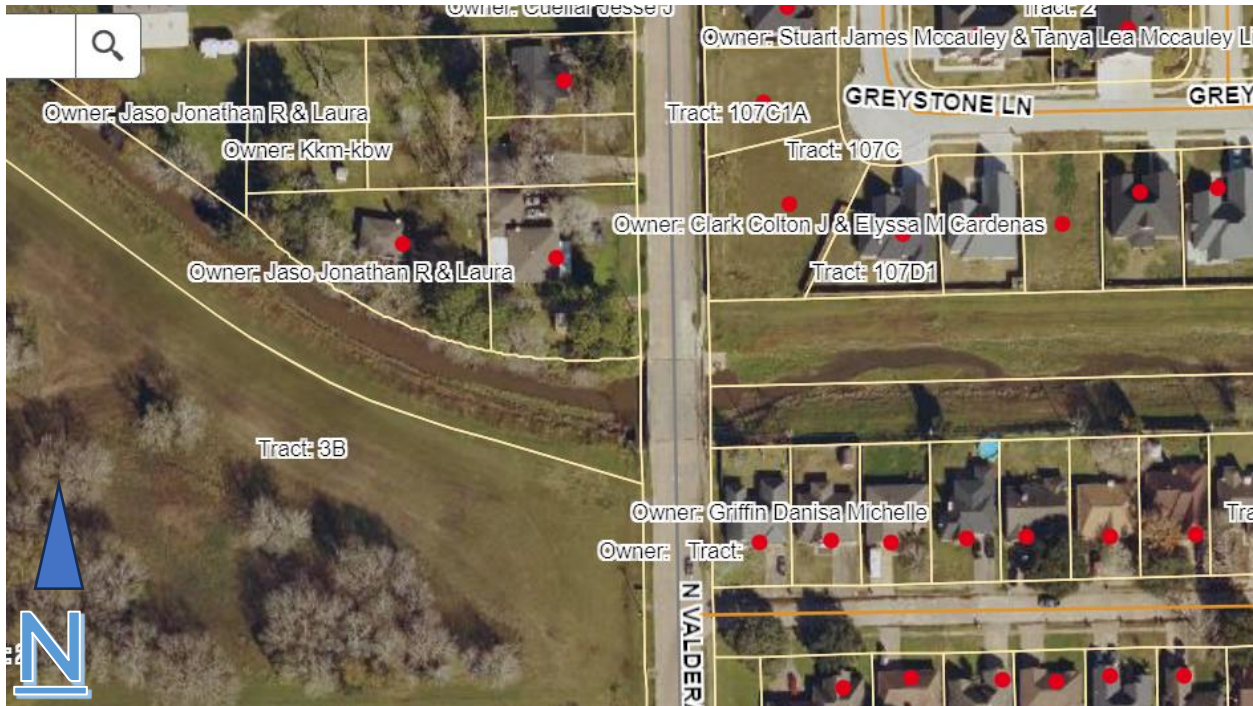
EXECUTIVE SUMMARY: The agenda item was requested by Chairman David Spoor, on behalf of the Angleton Drainage District. The district is required to gain the City of Angleton's permission to condemn property within the City Limits. The subject property is situated at the northwest corner of N. Valderas and Brushy Bayou, for which fee ownership of a strip of land (.0169 acres) along Brushy Bayou is needed to correct a defective easement from 1981 (Exhibit A: Angleton Drainage District Resolution No. PR 2026-05-0002, including Metes and bounds/survey document is attached). The property to be condemned is primarily within the banks of Brushy Bayou and does not take any buildings.)

On June 9, 2026, Attorney Larry Boyd appeared before the City Council explaining the consent request per an atypical State Statue. City Council received the request and also heard from a neighboring homeowner, Mrs. , who expressed opposition to the Resolution and to the land (3/16 of an acre) being condemned, and ask that it only be an easement. The Angleton Drainage District requests this for drainage purposes (to keep Brushy Bayou flowing) after having the ability to negotiate with the landowner to clear an amount of Brush, and allow for grass to grow, and prevent flooding downstream.

After much discussion, Council voted to table the item and requested additional information from the District: Upon a motion by Mayor Pro-Tem Townsend and seconded by Council Member Smith, Council tabled the item. The motion passed on a 5-0 vote. Council Member Sartin was

absent. Legal (Grady Randle) gave comments on the consent of the Council requested. City Council has judgment in the decision. Council is not condemning, but only consenting yes or no. He also gave procedures if the condemnation is challenged legally.

On August 11, 2026, this item came back to Council with further discussions and concerns regarding the needed property/easement. The item was tabled until September 8, 2026 to allow for the affected owner and the Angleton Drainage District to meet and work out final details prior to final action.



This resolution accommodates the need approval of city Council establishing the finding of a public necessity by Angleton Drainage District and approving the use of eminent domain by Angleton Drainage District to condemn in fee simple a tract of 0.169 acres, more or less, of property generally located at the northwest corner of Valderas Street and Brushy Bayou in Angleton, Texas for the public purposes of drainage, flood control, and related purposes; with related provisions; and a metes and bounds description of the tract to be acquired is attached hereto and incorporated herein in full.

Attached are the following other supportive documents for the consent by the City Council to the condemnation by Angleton Drainage District:

1. Resolution and Exhibit (s)
2. Property Description. Please attach this to the agenda itself; and
4. Resolution Passed by Angleton Drainage District.

Recommendation

The City Council should consent to the approval of the property condemnation as described by Exhibit A: Resolution by Angleton Drainage District with Metes and Bound Description, as requested by the Angleton Drainage District.

"I move that the City of Angleton City Council consents to The Angleton Drainage District of Brazoria County use of the power of eminent domain to acquire in fee simple a tract of 0.169 acres, more or less, of property described in Resolution #2026_____, for the public purposes of drainage, flood control, and related purposes; and the attached metes and bounds description of the tract to be and to the resolution for this consent. This motion includes passage of that resolution as presented."