



Resolution for Eminent Domain

Presented to the City Council on
April 17, 2023

Lakewood Drive Expansion

- Construction on the expansion and extension Lakewood Drive is underway
- Expands Lakewood Drive (CR 914) and extends the road from CR 1020 to FM 1902
- The extension of Lakewood Drive will help mitigate traffic on the west side of town and better connect Wilshire Blvd and Chisholm Trail Pkwy
- Sewer improvements will accompany the road to serve Chisholm Summit, Hooper Business Park, and surrounding area



Lakewood Drive Expansion

- Portions of 4 different parcels of land along Lakewood Drive are needed to expand the road and extend sewer services
- The City has reached an agreement with 3 of the 4 landowners to acquire portions of their respective tracts along Lakewood Drive
- The last remaining parcel is a portion of the 1324 C.R. 914 tract
- The City needs approximately 7,000 square feet from the 1324 C.R. 914 tract along Lakewood Drive for the road and sewer improvements



Lakewood Drive Expansion

- Staff met with the property multiple times in an effort to acquire the land to no avail
- This ROW is required to complete the roadway project. Adjacent properties have already been acquired and design of the roadway is complete
- If property is not acquired, there would be significant costs associated with roadway, drainage, water, and sewer design, construction implications, and additional ROW expenses



Lakewood Drive Expansion

- On October 17, 2022, City Council approved a resolution authorizing staff to obtain a land survey and real estate appraisal of the approx. 7,000 square foot parcel needed
- The legal description and appraisal have since been acquired
- Two letters with the bona fide final offer have been provided according to state law with no response from the property owner
- The resolution before you for consideration authorizes the filing of eminent domain proceedings



Next Steps

- City will File a Condemnation Petition
- 3 Special Commissioners will be Appointed to Hear the Matter
- The Special Commissioners will Hold a Hearing to Determine the Value of the Property
- The Special Commissioners will Issue a Ruling on the Value of the Property
- Once the Special Commissioners Issue a Ruling, the City May Take Possession
- The Special Commissioners' Ruling is Appealable, but the Appeal Doesn't Impact Possession
- Estimated timeline is 2 months



Lakewood Drive Expansion

- Action Requested:
Approve or deny the use of eminent domain to condemn property and approve or deny Resolution No. CSO#5066-04-2023 authorizing the filing of eminent domain proceedings for the purpose of obtaining the necessary real property for construction and maintenance of roadway and public utility improvements along Lakewood Drive to serve existing and new development in the City.
- Staff recommends approval

