

RESOLUTION NO. CSO#5739-02-2025

A RESOLUTION OF THE CITY OF BURLESON, TEXAS AUTHORIZING THE COMMENCEMENT OF NEGOTIATIONS AND, IF NECESSARY, THE FILING OF EMINENT DOMAIN PROCEEDINGS FOR THE PURPOSE OF ACQUIRING REAL PROPERTY FOR USE BY THE CITY FOR THE CONSTRUCTION AND MAINTENANCE OF ROADWAY AND PUBLIC UTILITY IMPROVEMENTS AS PART OF THE ALSBURY PHASE II PROJECT TO SERVE EXISTING AND NEW DEVELOPMENT IN THE CITY AND FOR OTHER PUBLIC PURPOSES PERMITTED BY LAW.

WHEREAS, the City of Burleson, Texas, (the “City”) is a home rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and

WHEREAS, the City is in the process of constructing roadway and public utility improvements as part of the Alsbury Phase II Project (the “Project”) to serve existing and new development in the City; and

WHEREAS, in order to complete construction of the Project, it is necessary for the City to acquire certain land and easements from the property owners who own land across which the Project will be located; and

WHEREAS, the City and the owner of the following properties have been unable to reach an agreement on the acquisition of the following needed land and easements:

- a 0.731 acre (31,834 square feet) tract of land (**Exhibit A**) on property described in Volume 3377, Page 84 and Volume 2085, Page 897, Deed Records of Johnson County, Texas;
- a 0.151 acre (6,592 square feet) permanent drainage easement (**Exhibit B**) on property described in Volume 3377, Page 84 and Volume 2085, Page 897, Deed Records of Johnson County, Texas;
- a 0.132 acre (5,739 square feet) temporary construction easement (**Exhibit C**) property described in Volume 2085, Page 897, Deed Records of Johnson County, Texas; and

WHEREAS, the City Council finds and determines that the acquisition of the above land and easements for the Project are necessary and constitutes a public use for a public purpose; and

WHEREAS, the City Council now deems it necessary to authorize the law firm of Taylor, Olson, Adkins, Sralla & Elam, L.L.P. (the “City Attorney”) to initiate condemnation proceedings in order to acquire the necessary land and easements.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BURLESON, TEXAS:

SECTION 1.

The City Council of the City hereby finds and determines that the recitals made in the preamble of this Resolution are true and correct, and incorporates such recitals herein.

SECTION 2.

The City Council hereby finds and determines that a public necessity exists for the Project and that the acquisition of the above referenced land and easements, which is more fully described in **Exhibits A, B, and C** (the “Land and Easements”), which exhibits are incorporated into this Resolution for all purposes, is necessary for the Project.

SECTION 3.

The City Attorney is hereby authorized and directed to bring condemnation proceedings against the Owner, and any and all other parties having an interest in the underlying properties, for the purpose of acquiring the Land and Easements through the exercise of the City’s power of eminent domain, given that that the following conditions have already been met:

- (a) The City will obtain ownership information and a legal description for each parcel to be acquired;
- (b) If the Owner and/or other parties are located through the exercise of due diligence, the City Manager, or his designated representative, will:
 - (1) Make an initial offer to the Owner and/or other parties for the purchase of the above referenced easements;
 - (2) Make a final offer to the Owner and/or other parties for the purchase of the above referenced easements;
 - (3) When the final offer to purchase is made, the City Manager or his representative will disclose to the Owner and/or other parties, all existing appraisal reports or value studies produced or acquired by the City relating to the Owner’s or parties’ property and used by the City in determining the amount of the final offer; and
 - (4) If the Owner and/or other parties fail or refuse to accept the City’s final offer, the City Manager may direct the City Attorney to file eminent domain proceedings.
- (c) When the Owner and/or any other parties cannot be located through the exercise of due diligence, the City Attorney may skip the actions described in paragraph (b) and may file eminent domain proceedings against such Owner and/or other parties,

and shall cite such Owner and/or other parties, who cannot be located, by publication in the manner authorized by law.

- (d) The City Council hereby authorizes the City Manager to make initial and final offers to the Owner of such property in such amount as the City Manager determines to be just compensation for conveyance to the City of Burleson of the above referenced easements, based upon appraisals or valuation information available to the City Manager.

SECTION 4.

Should the Owner and/or other parties not be able to be located through the exercise of due diligence, the City Attorney may skip the actions described in paragraph (b) and may file eminent domain proceedings against such Owner and/or other parties and shall cite such Owners and/or other parties, who cannot be located, by publication in the manner authorized by law.

SECTION 5.

The City Council hereby finds and determines that the Land and Easements are needed so that the City of Burleson can construct and maintain the Project, which is a public purpose and is necessary to serve the public health, safety and welfare.

SECTION 6.

This Resolution shall become effective immediately upon its passage, and it is so Resolved.

ADOPTED this ____ day of _____, 2025.

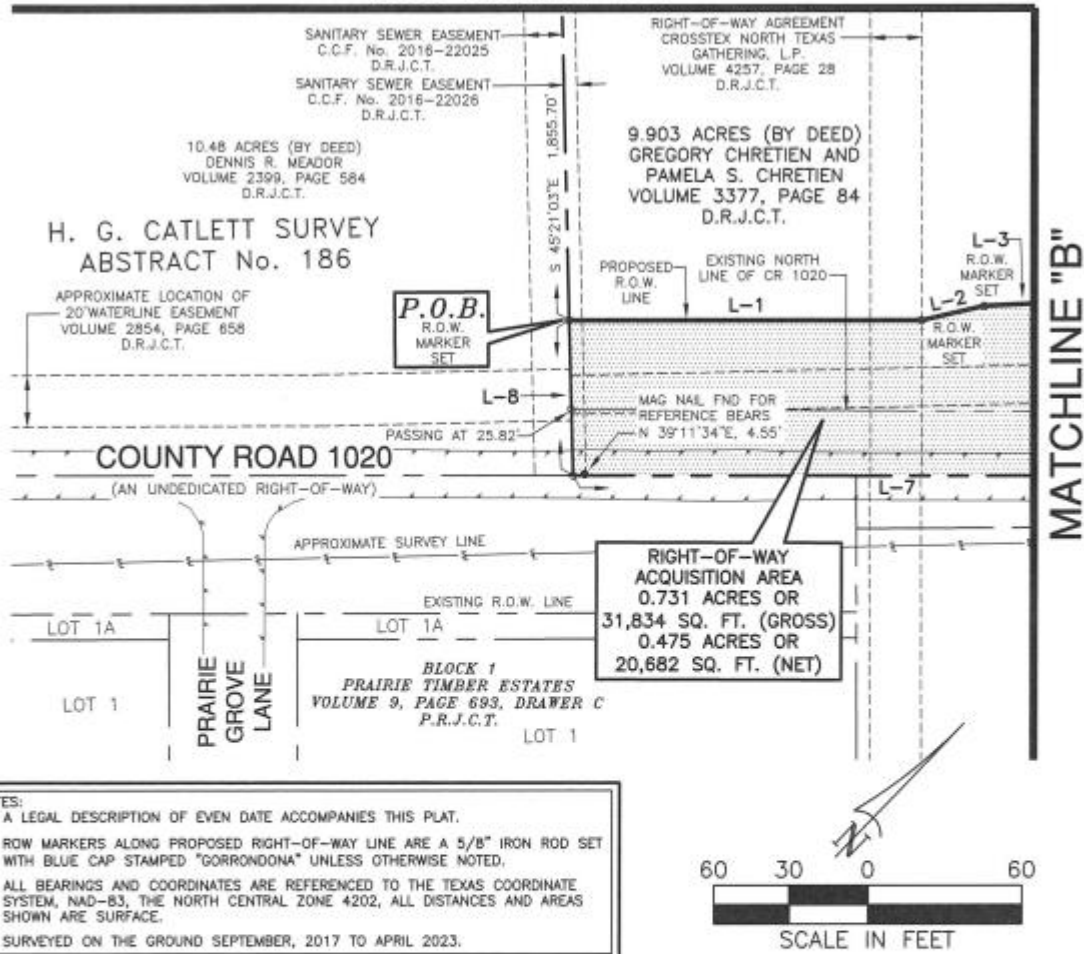
Chris Fletcher, Mayor

ATTEST:

Amanda Campos, City Secretary

EXHIBIT A

MATCHLINE "A"



THE CITY OF
BURLESON
TEXAS

City of Burleson

141 W. RENFRO STREET • BURLESON, TEXAS 76028

ALSBURY ROAD PH. 2 HULEN TO CR 1020 (BRIDGE)

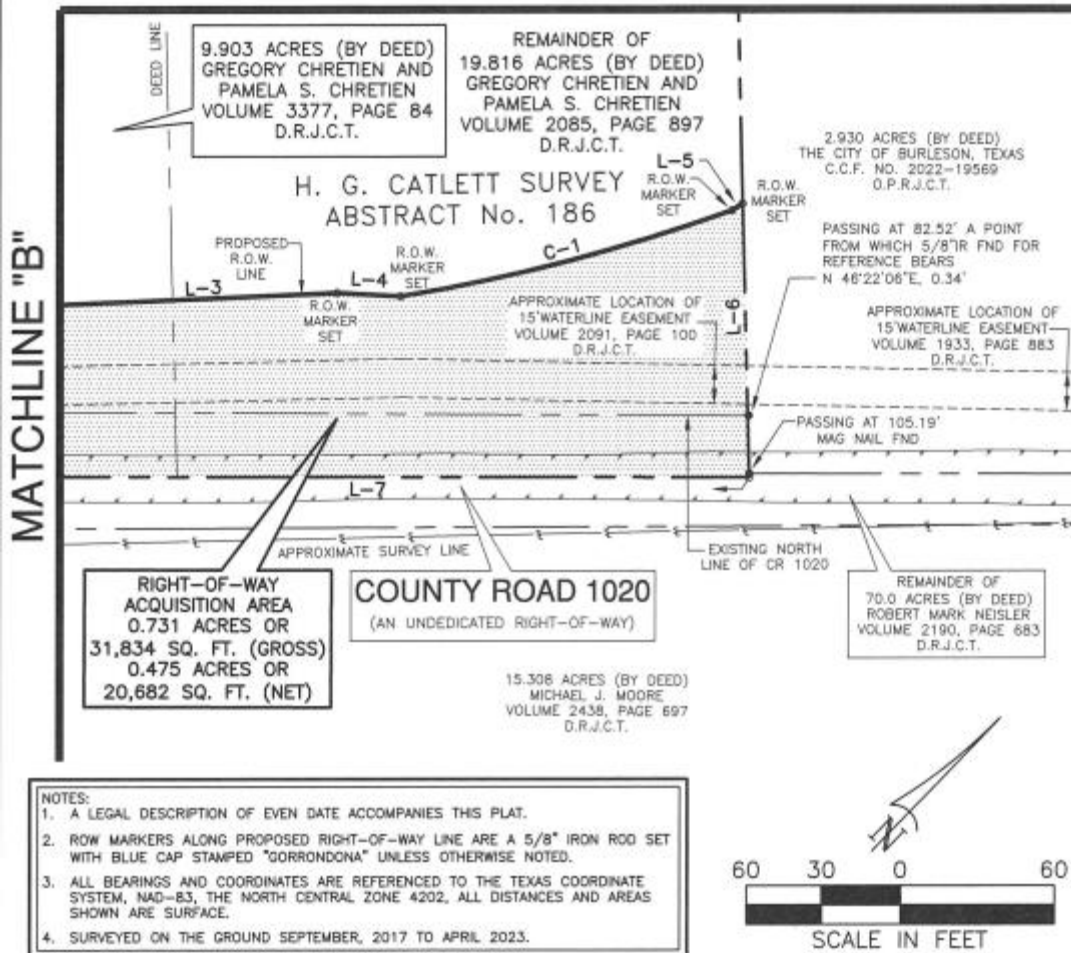
PARCEL NO. 14 ROW	CITY PROJ. NO. ST2202
RIGHT-OF-WAY ACQUISITION	
OWNER: GREGORY CHRETIEN AND PAMELA S. CHRETIEN	
SURVEY: H. G. CATLETT SURVEY, ABSTRACT NO. 186	
LOCATION: CITY OF BURLESON, JOHNSON COUNTY, TEXAS	
ACQUISITION AREA: 0.731 ACRES OR 31,834 SQUARE FEET (GROSS)	
WHOLE PROPERTY ACREAGE: 19.802 ACRES (CALCULATED)	
JOB No. FNL1504.00	DRAWN BY: RCS
DATE: AUGUST 4, 2023	EXHIBIT B PAGE 2 OF 4
CAD FILE: 14 ROW.DWG	SCALE: 1" = 60'



CURTIS SMITH
REGISTERED PROFESSIONAL LAND SURVEYOR
NO. 5494 TEXAS FIRM No. 10106900

GORRONDONA & ASSOCIATES, INC. • 2800 N.E. LOOP 820, SUITE 680 FORT WORTH, TX. 76137 • 817-496-1424 FAX 817-496-1768

PARCEL No. 14 ROW
MATCHLINE "A"



THE CITY OF
BURLESON
TEXAS

City of Burleson

141 W. RENFRO STREET • BURLESON, TEXAS 76028

**ALSBURY ROAD PH. 2
HULEN TO CR 1020 (BRIDGE)**

PARCEL NO. 14 ROW CITY PROJ. NO. ST2202

RIGHT-OF-WAY ACQUISITION

OWNER: GREGORY CHRETIEN AND PAMELA S. CHRETIEN

SURVEY: H. G. CATLETT SURVEY, ABSTRACT NO. 186

LOCATION: CITY OF BURLESON, JOHNSON COUNTY, TEXAS

ACQUISITION AREA: 0.731 ACRES OR 31,834 SQUARE FEET (GROSS)

WHOLE PROPERTY ACREAGE: 19.802 ACRES (CALCULATED)

JOB No. FNI 1504.00 DRAWN BY: RCS CAD FILE: 14 ROW.DWG

DATE: AUGUST 4, 2023 EXHIBIT B PAGE 3 OF 4 SCALE: 1" = 60'



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EXHIBIT B

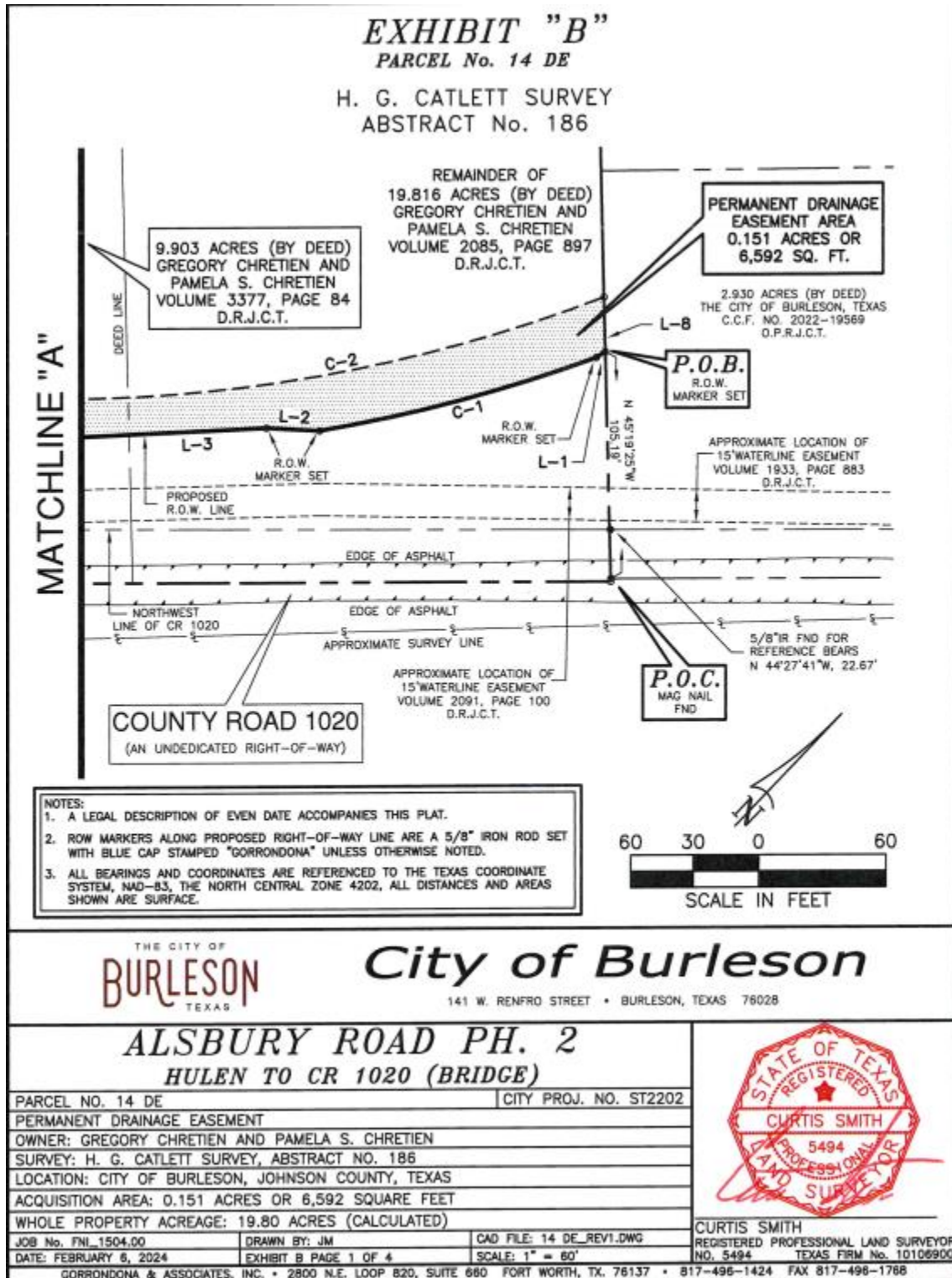
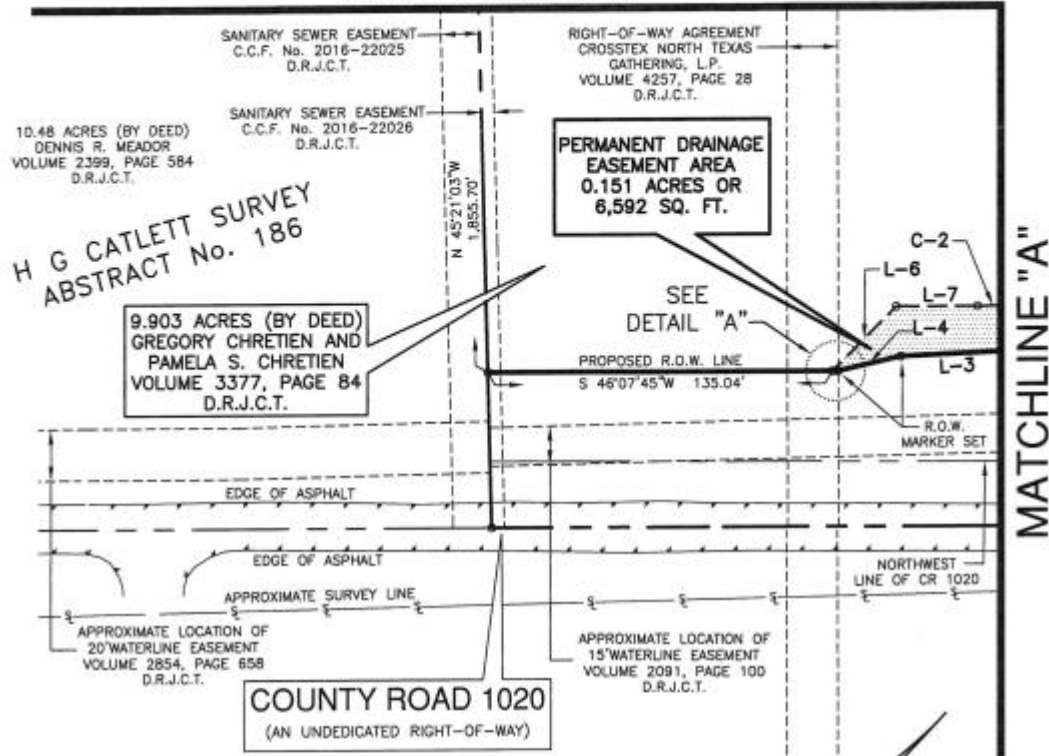


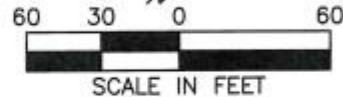
EXHIBIT "B"
PARCEL No. 14 DE

MATCHLINE "B"



NOTES:

1. A LEGAL DESCRIPTION OF EVEN DATE ACCOMPANIES THIS PLAT.
2. ROW MARKERS ALONG PROPOSED RIGHT-OF-WAY LINE ARE A 5/8" IRON ROD SET WITH BLUE CAP STAMPED "GORRONDONA" UNLESS OTHERWISE NOTED.
3. ALL BEARINGS AND COORDINATES ARE REFERENCED TO THE TEXAS COORDINATE SYSTEM, NAD-83, THE NORTH CENTRAL ZONE 4202, ALL DISTANCES AND AREAS SHOWN ARE SURFACE.



THE CITY OF
BURLESON
TEXAS

City of Burleson

141 W. RENFRO STREET • BURLESON, TEXAS 76028

ALSBURY ROAD PH. 2
HULEN TO CR 1020 (BRIDGE)

PARCEL NO. 14 DE	CITY PROJ. NO. ST2202
PERMANENT DRAINAGE EASEMENT	
OWNER: GREGORY CHRETIEN AND PAMELA S. CHRETIEN	
SURVEY: H. G. CATLETT SURVEY, ABSTRACT NO. 186	
LOCATION: CITY OF BURLESON, JOHNSON COUNTY, TEXAS	
ACQUISITION AREA: 0.151 ACRES OR 6,592 SQUARE FEET	
WHOLE PROPERTY ACREAGE: 19.80 ACRES (CALCULATED)	
JOB No. FNI_1504.00	DRAWN BY: JM
DATE: FEBRUARY 6, 2024	EXHIBIT B PAGE 2 OF 4
CAD FILE: 14_DE_REV1.DWG	
SCALE: 1" = 60'	



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EXHIBIT C

