# THE CITY OF BURGESSON TEXAS

#### **Resolution for Eminent Domain**

Presented to the City Council on January 21, 2024



#### 12" Willow Creek Water Line Extension

- Construction of a 12" water line to increase fire flow protection and provide redundancy.
- Creates a complete loop which provides superior water quality and limits opportunities for loss of service



- Portions of 2 different parcels of land along near Fairway View Dr are needed to extend the waterline.
- The City has reached an agreement with 1 of the 2 property owners to obtain easements on their property
- The remaining parcel is located at 390 Clubhouse Dr.
- The City needs approximately 3,961 square feet for a utility easement.



- The consultant reached out multiple times in an effort to acquire the land to no avail
- This easement is required to complete the utility project. The adjacent has already been acquired and design of the utility is nearly complete
- If property is not acquired, there would be significant costs associated with water construction and additional easement expenses



- Staff consulted with a third party to conduct ROW acquisition for this project
- The legal description and appraisal have since been acquired
- Two letters with the bona fide final offer will be provided according to state law
- The resolution before you for consideration authorizes the filing of eminent domain proceedings one state law requirements are met



#### Next Steps

- Provide Initial Offer
- Provide Bonafide Final Offer
- Begin Eminent Domain Process
- Estimated timeline is 4-6 months



• Action Requested:

Approve or deny the use of eminent domain to condemn property and approve or deny Resolution No. CSO#5740-02-2025 authorizing the filing of eminent domain proceedings for the purpose of obtaining the necessary easements for construction and maintenance of public utility improvements to serve existing and new development in the City.

• Staff recommends approval