

Resolution – Eminent Domain Aids Drive

Melinda Moritz
Public Works Director
City Council Meeting
June 19, 2025

Summary

- Question
 - City Council is being asked to consider approval of the use of Eminent Domain powers to acquire a 0.625-acre portion of an easement adjacent to Aids Drive to develop it into a city street
- Options
 - Recommended:
 1. Approve the Resolution
 - Denial
 - Other
- Declaration
 - This acquisition will enable the two residents that live at the end of the street proper access to a public roadway

Purpose

- This portion of undeveloped street is at the end of Aids Drive and is not paved
 - 2 property owners have been using this unofficial easement as their driveway
 - When it rains, drive is inaccessible
- Records indicate this 0.625-acre parcel was once owned by the Estate of Ivah H. Smith, but was not transferred upon sales of the 58.18-acre tract of land in the estate
- The situation created a “no man’s land” and there is no property owner to notify of the city’s desire to have it developed as a proper street

Aerial Exhibit



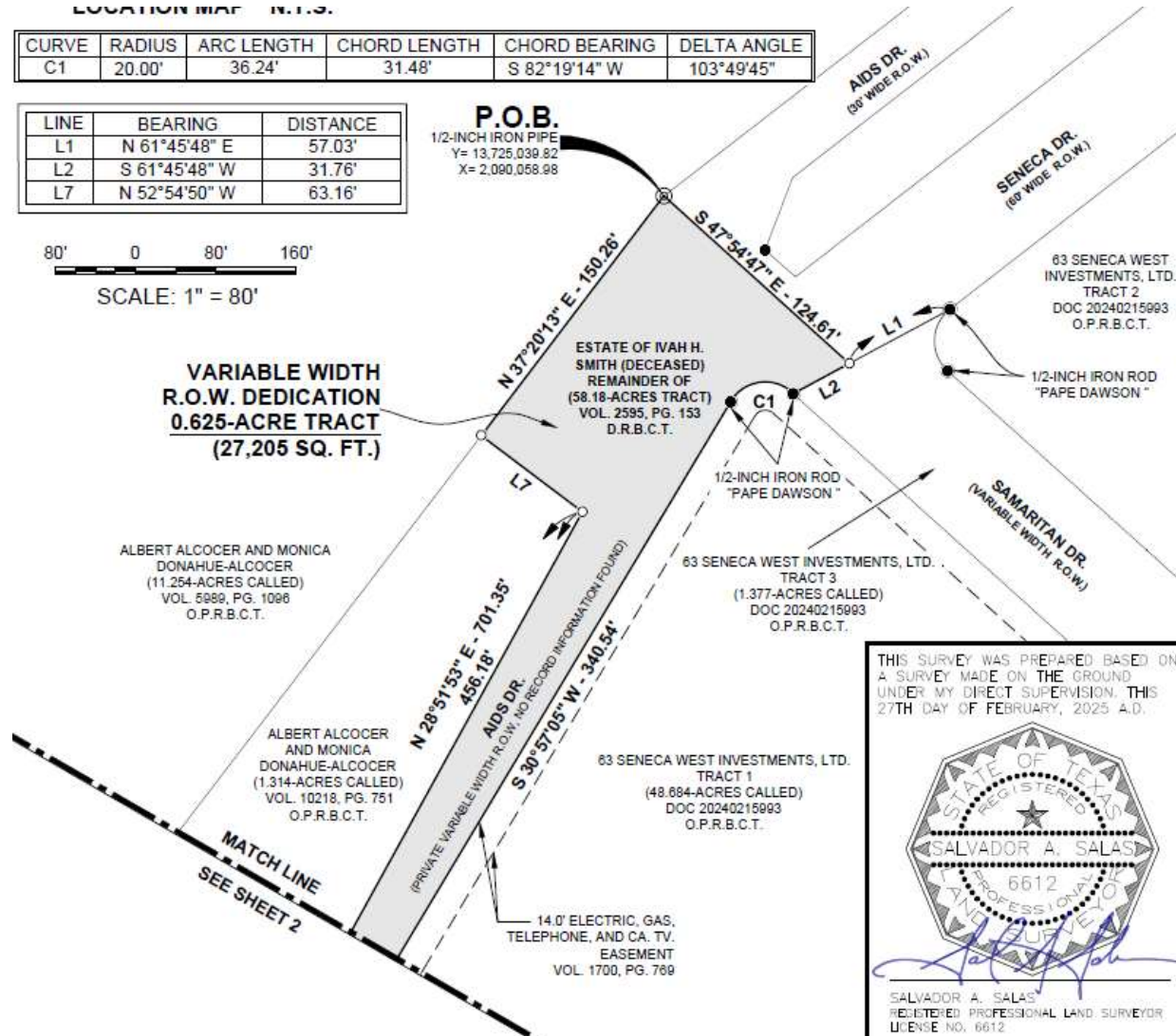
Parcel Exhibit

LOCATION MAP N.T.S.

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	20.00'	36.24'	31.48'	S 82°19'14" W	103°49'45"

LINE	BEARING	DISTANCE
L1	N 61°45'48" E	57.03'
L2	S 61°45'48" W	31.76'
L7	N 52°54'50" W	63.16'

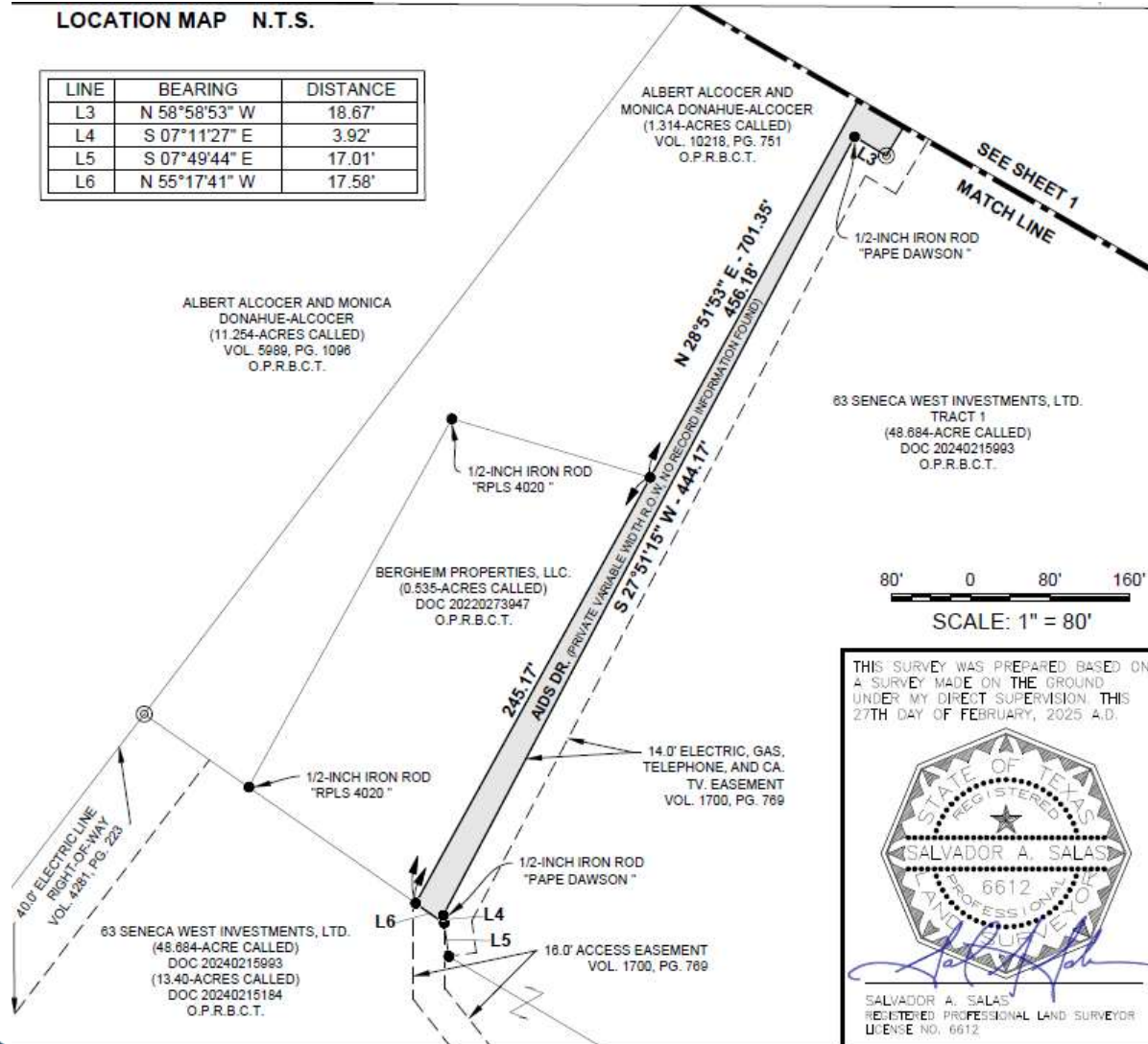
80' 0 80' 160'
SCALE: 1" = 80'



Parcel Exhibit

LOCATION MAP N.T.S.

LINE	BEARING	DISTANCE
L3	N 58°58'53" W	18.67'
L4	S 07°11'27" E	3.92'
L5	S 07°49'44" E	17.01'
L6	N 55°17'41" W	17.58'



Fiscal Impact

- Estimated Costs:
 - Appraisal \$3,500 (if needed)
 - Survey \$3,500
 - Court filing fees TBD
 - Property purchase \$300 (if needed)
 - Attorney fees TBD
 - Ongoing maintenance included in Public Works budget

Recommendation

- Staff recommends approval of the Resolution
- City Council motion for approval must be read out loud as follows:
 - “I move approval of the resolution and that the City of Leon Valley authorize the use of the power of eminent domain to acquire property described as: The property described in the Bexar County real property records at Volume 2595, Page 153, a remaining 0.625-acre tract of land out of a 58. 18-acre tract, said property owned wholly or partially by the Estate of Ivah H. Smith for necessary fee simple acquisition for the purpose of, among other municipal purposes, including but not limited to street and water works systems, including drainage and emptying facilities, and other public uses.”
- When a vote occurs, it must be by roll call vote