

MAYOR AND CITY COUNCIL COMMUNICATION

DATE: June 19, 2025

TO: Mayor and City Council

FROM: Melinda Moritz, Public Works Director

THROUGH: Crystal Caldera, Ph.D., City Manager

SUBJECT: Presentation, Discussion, and Possible Approval of a Resolution Authorizing the Use of Eminent Domain to Acquire a 0.625 Acre Tract Adjacent to Aids Drive, a Property Described in the Bexar County Real Property Records at Volume 2595, Page 153, Said Property Owned Wholly or Partially by the Estate of Ivah H. Smith, for a Street and Drainage System and Other Public Improvements

SPONSOR(S): City Council

PURPOSE & BACKGROUND

The 0.625-acre tract of land at the end of Aids Drive is currently owned by the estate of a deceased person and no heirs have been found or claimed this parcel as their own. This portion of underdeveloped street serves two developed single-family properties that would otherwise not be able to have access to a public street. The access is not paved and when it rains, the drive is inaccessible.

The developer of the adjacent property at 6518 Samaritan has committed to developing the street at their expense, with the understanding that the city would be responsible for acquiring the property.

Ownership of the property by the City would allow for regular maintenance of the street, providing those property owners with a safe and accessible method of coming from and going to their properties.

FISCAL IMPACT

- | | |
|-----------------------|---|
| • Possible appraisal | \$3,500 (if needed) |
| • Survey | \$3,500 |
| • Court filing fees | TBD |
| • Property purchase | \$300 (if needed) |
| • Attorney fees | TBD |
| • Ongoing Maintenance | Included in the Public Works Budget (4-6 cycles per year) |

RECOMMENDATION

Staff recommends the approval of the Resolution authorizing the use of eminent domain to acquire the property for public use. The acquisition will enable the city to address safety concerns, enhance stormwater management, and support local residents.

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 follows:

Property described in the Bexar County Real Property Records at Volume 2595, Page 153 and more particularly described as a 0.625 Acre Tract Adjacent to Aids Drive, said property being wholly or partially owned 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 a street system, drainage and emptying facilities, and other public uses.”

Voting Requirement: A roll call vote is required for approval.

APPROVED: _____ DISAPPROVED: _____

APPROVED WITH THE FOLLOWING AMENDMENTS:

ATTEST:

SAUNDRA PASSAILAIGUE, TRMC
City Secretary