



AGENDA ITEM SUMMARY FORM

PROPOSED MEETING DATE: April 17, 2024
PREPARED BY: Scott Moore, City Manager
DEPARTMENT: Administration

AGENDA ITEM DESCRIPTION:

Consideration, discussion, and possible action on a Resolution Finding Public Convenience and Necessity and Authorizing the Use of Eminent Domain to Condemn if Necessary a 10,540 Square Foot Water Line Easement and a 10,500 Square Foot Temporary Construction Easement (both as described in the Resolution and Exhibit "A" attached to the Resolution) from that certain 10.00 Acre Tract Conveyed to Plata Holdings, LLC and recorded at Document Number 2021219060 of the Official Public Records of Travis County, Texas, for the Public Use and Purpose of Construction of a Water Line.

BACKGROUND/SUMMARY:

The City is acquiring easements for the construction of the 290/973 Waterline Project. This is the last set of easements needed for the Waterline Project. The City and the landowner have been unable to reach an agreement for the purchase of the water line easement and temporary construction easement. The City has satisfied the steps needed for the City Council to take the next step to authorize the exercise of eminent domain to acquire the easements that are needed for the Waterline Project.

LEGAL REVIEW: Yes, Paige Saenz, City Attorney & Kent Sick, Condemnation Counsel
FISCAL IMPACT: Cost of litigation and the purchase price established by three special commissioners.
PRESENTATION: No
ATTACHMENTS: Yes

- Resolution No. 2024-12
- Legal Description

STAFF RECOMMENDATION:

The City Staff recommends that the Council approve Resolution No. 2024-12 as follows:

"I move that the City of Manor authorize the use of the power of eminent domain to acquire both a permanent water line easement of 10,540 square feet and a temporary construction easement of 10,500 square feet from property owned by Plata Holdings, LLC and described in Agenda Item No. 24 for the public use of constructing and operating public water lines and infrastructure improvements."

PLANNING & ZONING COMMISSION: NA **Recommend Approval** **Disapproval** **None**