

**RESOLUTION # \_\_\_\_\_**

**JOINT RESOLUTION BY THE CITY OF MCALLEN AND THE CITY OF MISSION  
PERTAINING TO THE EMINENT DOMAIN PROCEEDINGS FOR CERTAIN LANDS  
LOCATED IN THE CITY OF MCALLEN FOR THE TAYLOR ROAD - PHASE 2  
PROJECT**

**WHEREAS**, the City of Mission and the City of McAllen have identified a regional need for a street expansion project known as Taylor Road - Phase 2 (“Project”); and

**WHEREAS**, the Taylor Road - Phase 2 Project is aimed at addressing traffic congestion, improving transportation efficiency, and enhancing public safety; and

**WHEREAS**, the Taylor Road - Phase 2 Project has been identified by the Rio Grande Valley Metropolitan Planning Organization (RGV MPO) in its Transportation Improvement Program (TIP) and it has been assigned as ROW CSJ 0921-02-377, wherein state and federal funds have been allocated to offset the expenses associated with the acquisition of right-of-way for the project; and

**WHEREAS**, it has been determined that certain parcels of land, as described in Exhibits A and B attached hereto (“Parcels”), are essential for the successful completion of the Taylor Road - Phase 2 Project, specifically described as **Parcel 37** (a 313 square foot or 0.0072 of an acre tract of land situated in the City of McAllen, Hidalgo County, Texas, out of Lot 1, Taylor Heights Subdivision, as recorded in Volume 46, Page 118, of the Map Records, Hidalgo County, Texas, conveyed by Special Warranty Deed with vendor’s lien, dated November 17, 2005, from Terra Homes Corporation to Martine Ramirez and Rose I. Ramirez, as described in Document Number 1546357, of the Official Records, Hidalgo County, Texas) (hereinafter referred to as Exhibit “A”) **and Parcel 19** (a 2,400 square foot or 0.0551 of an acre tract of land situated in the City of McAllen, Hidalgo County, Texas, Out of Lot 247, John H. Shary Subdivision, Hidalgo County, Texas, and being out of a 9.64 acre tract of land, conveyed by warranty deed with vendor’s lien, dated June 2, 1994, recorded and filed June 9, 1994, from Vernon L. Wade and Wife Twilla J. Wade to Alvaro Teofilo Gonzalez, as described in Document Number 391370, of the Official Records, Hidalgo County, Texas) (hereinafter referred to as Exhibit “B”); and

**WHEREAS**, the Parcels are physically located within the city limits of the City of McAllen, Texas; and

**WHEREAS**, pursuant to the provisions of Chapter 21 of the Texas Property Code and Chapter 251 of the Texas Local Government Code, the City of McAllen and the City of Mission have agreed that the City of Mission shall be designated as the condemning authority for the Taylor Road - Phase 2 Project; and

**WHEREAS**, the City of Mission, in its capacity as the condemning authority, will acquire the Parcels situated within the City of McAllen to facilitate the advancement of the Taylor Road - Phase 2 Project; and

**WHEREAS**, upon the successful acquisition of the Parcels, the City of Mission shall deed the Parcels to the City of McAllen, and the City of McAllen agrees that upon receipt of the ownership of the Parcels, it shall allow the Parcels to be used in perpetuity by the Taylor Road - Phase 2 Project; and

**WHEREAS**, the City of Mission has made diligent efforts to negotiate in good faith with the property owners of the Parcels affected by the acquisition, but such efforts have proven unsuccessful or impracticable; and

**WHEREAS**, it is hereby determined that the acquisition of the Parcels through eminent domain is of public necessity, as it is crucial for the successful completion of the Taylor Road - Phase 2 Project, and will serve the best interests of both cities;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MISSION AND THE CITY COUNCIL OF THE CITY OF MCALLEN, TEXAS:**

**SECTION 1.** The City of Mission and the City of McAllen jointly affirm the necessity to acquire the Parcels, as described in Exhibits A and B, located within the City of McAllen for the purpose of advancing the Taylor Road - Phase 2 Project.

**SECTION 2.** The City of Mission is authorized to proceed with the eminent domain proceedings necessary to acquire the Parcels, in accordance with Chapter 21 of the Texas Property Code.

**SECTION 3.** The City of Mission shall undertake all necessary expenses for the services related to acquisition of the parcels in question.

**SECTION 4.** Upon the successful acquisition of the Parcels, the City of Mission shall deed the Parcels to the City of McAllen, and the City of McAllen agrees that upon receipt of the ownership of the Parcels, it shall allow the Parcels to be used in perpetuity by the Taylor Road - Phase 2 Project.

**SECTION 5.** Both cities shall collaborate closely throughout the process, sharing relevant information and coordinating efforts.

**SECTION 6.** This Joint Resolution shall take effect immediately upon its adoption by the City Councils of both the City of Mission and the City of McAllen.

**PASSED, APPROVED and ADOPTED this 26th day of June, 2023.**

**CITY OF MISSION:**

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Norie Gonzalez Garza, Mayor

**ATTEST:**

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Anna Carillo, City Secretary

**APPROVED AS TO FORM:**

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Victor A. Flores, City Attorney

**PASSED, APPROVED and ADOPTED this \_\_\_\_\_ day of June, 2023.**

**CITY OF MCALLEN:**

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Javier Villalobos, Mayor

**ATTEST:**

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Perla Lara, City Secretary

**APPROVED AS TO FORM:**

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Isaac Joel Tawil, City Attorney