

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS, DETERMINING A PUBLIC NECESSITY TO ACQUIRE CERTAIN PROPERTY; GIVING NOTICE OF AN OFFICIAL DETERMINATION TO ACQUIRE THE PROPERTY; AND AUTHORIZING USE OF THE POWER OF EMINENT DOMAIN TO ACQUIRE PROPERTY DESCRIBED AS THE FOLLOWING PARCEL OF LAND: APPROXIMATELY 0.009 OF ONE ACRE TRACT OF LAND SITUATED IN THE CITY OF MISSION, TEXAS, OUT OF LOT 31-6, WEST ADDITION TO SHARYLAND, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 1, PAGE 56, OF THE MAP RECORDS, HIDALGO COUNTY, TEXAS, WHICH SAID 0.009 OF ONE ACRE BEING A PART OR PORTION OUT OF A LARGER TRACT OF LAND CONVEYED TO SUN VENTURES INCORPORATED BY VIRTUE OF A WARRANTY DEED RECORDED IN VOLUME 3275, PAGE 352, HIDALGO COUNTY OFFICIAL RECORDS (THE "PROPERTY"); FOR THE CITY'S STREET AND WATER SYSTEM IMPROVEMENT PROJECT.

WHEREAS, the City Council of the City of Mission deems it necessary to acquire the property listed above for the city's street and water system improvement project listed above; and

WHEREAS, the City Council of the City of Mission finds that for the health and safety of the citizens of Mission, Texas, the acquisition of the Property for city's street and water system improvement project is in the public interest; and

WHEREAS, there may be improvements located on some of the real property acquired for this project and such improvements may be required to be moved or acquired prior to the beginning of this project.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS, THAT:

Section 1. That the City of Mission, hereby officially determines that there is a public necessity for, and the public welfare and convenience will be served by, the acquisition of the above listed property for the city's street and water system improvement project.

Section 2. The City Manager or his representative is hereby authorized to contract on behalf of the City of Mission, with professional appraisers for appraisal services needed by the City from time to time in connection with acquisition of the above listed property.

Section 3. After consideration of said appraisals, the City Manager shall establish and approve the amount determined to be just compensation for acquisition of above listed property.

Section 4. Upon establishment and approval by the City Manager of the amount of just compensation for the acquisition, the City Manager or his representative is authorized to communicate a written offer to the owner of said real property for acquisition of the above listed property at the full amount determined and established to be just compensation thereof, and to negotiate with the said owner on behalf of the City for the acquisition of the Property.

Section 5. That the City Manager be and is hereby authorized to take any and all action he deems necessary and appropriate including the execution of all documents needed to consummate this transaction, on behalf of the City of Mission.

Section 6. Public necessity requires the acquisition of the Property, save and except oil, gas, and sulphur rights; and that public necessity and convenience require the condemnation of the Property in order to acquire it for such purpose.

Section 7. That the City of Mission City Attorney's Office, is hereby authorized and directed to proceed with condemnation proceedings under Chapter 21, Texas Property Code for the acquisition of the Property and to prepare any and all documents it deems necessary in relation thereto.

Section 8. This Resolution shall become effective immediately after and from its passage.

CONSIDERED, PASSED, AND APPROVED this 10th day of April, 2023, at a regular meeting of the City Council of the City of Mission, Texas, at which a quorum was present and which was held in accordance with Chapter 551, Texas Government Code.

CITY OF MISSION

By: _____
Norie Gonzalez Garza, Mayor

ATTEST:

Anna Carrillo, City Secretary

APPROVED AS TO FORM:

Victor A Flores, City Attorney