



ENGINEERING SERVICES

To: Mayor and Town Council

From: Hulon T. Webb, Jr., Director of Engineering Services

Through: Harlan Jefferson, Town Manager
Rebecca Zook, Executive Director of Development & Infrastructure Services

Re: Town Council Meeting – May 10, 2022

Agenda Item:

Consider and act upon a resolution declaring the necessity to acquire certain property for right-of-way for the construction of the Teel Parkway / US 380 Intersection Improvements project; determining the public use and necessity of such acquisition; authorizing the acquisition of property rights for said Project; appointing an appraiser and negotiator as necessary; authorizing the Town Manager to establish just compensation for the property rights to be acquired; authorizing the Town Manager to take all steps necessary to acquire the needed property rights in compliance with all applicable laws and resolutions; and authorizing the Town Attorney to institute condemnation proceedings to acquire the property if purchase negotiations are not successful.

Description of Agenda Item:

The Town is in the process of developing engineering plans for the construction of the Teel Parkway / US 380 Intersection Improvements project. To facilitate the construction of the project, it is necessary for the Town to acquire right-of-way. The specific parcel is identified in the attached Resolution, and the Location Map included with this agenda item and depicts one (1) property affected. As with other similar road construction projects, it is not anticipated that the parcel will require the use of eminent domain to complete the acquisition process, however, staff is requesting advance authorization to pursue acquisition by eminent domain if standard negotiations are unsuccessful.

Attached Documents:

1. Resolution
2. Location Map

Legal Obligations and Review:

Terrence Welch of Brown & Hofmeister, L.L.P., has reviewed the resolution as to form and legality.

Town Staff Recommendation:

Town staff recommends approval of a resolution declaring the necessity to acquire certain property for right-of-way for the construction of the Teel Parkway / US 380 Intersection Improvements project; determining the public use and necessity of such acquisition; authorizing the acquisition of property rights for said Project; appointing an appraiser and negotiator as necessary; authorizing the Town Manager to establish just compensation for the property rights to be acquired; authorizing the Town Manager to take all steps necessary to acquire the needed property rights in compliance with all applicable laws and resolutions; and authorizing the Town Attorney to institute condemnation proceedings to acquire the property if purchase negotiations are not successful.

Proposed Motion:

I move to approve a resolution declaring the necessity to acquire certain property for right-of-way for the construction of the Teel Parkway / US 380 Intersection Improvements project; determining the public use and necessity of such acquisition; authorizing the acquisition of property rights for said Project; appointing an appraiser and negotiator as necessary; authorizing the Town Manager to establish just compensation for the property rights to be acquired; authorizing the Town Manager to take all steps necessary to acquire the needed property rights in compliance with all applicable laws and resolutions; and authorizing the Town Attorney to institute condemnation proceedings to acquire the property if purchase negotiations are not successful.

Please note: Pursuant to Section 2206.053(c) of the Texas Government Code, if two (2) or more councilmembers object to adopting this Resolution for the property referenced therein, a separate record vote must be taken.

This item requires a roll call vote.