



## CITY COUNCIL AGENDA ITEM BRIEFING SHEET

<b>Council Date:</b> September 24, 2024	<b>Department:</b> Administration	<b>Presented By:</b> Bill Funderburk
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**AGENDA ITEM:** to adopt a resolution of the City Council of the City of Willow Park, Texas finding that a public necessity exists and authorizing condemnation to acquire fee acquisition of property on one tract for municipal purposes to acquire right of way for King's Gate Road and other public uses, which tract is generally described being located in Parker County, the Issac O. Headley survey, abstract no. 619, and being part of lot 1, block 1, Trinity Meadows Addition, an addition of the City of Willow Park, Parker County, Texas, being an approximate 0.0807 acre (3,514 sq ft), property ID# r000091194, generally located northwest from the intersection of King's Gate Road and Interstate Highway 20 Frontage Road in Willow Park, Texas, at 4200 E. Interstate 20 Service Road S, Willow Park, Texas 76087, and being more particularly described herein providing notice of an official determination to acquire real property for a 0.0807 acre fee acquisition for use as a right of way; authorizing the City Manager to obtain the necessary appraisal report(s) and the making of bona fide offers of just compensation for the property; ratifying prior documents made for acquisition of the property; authorizing legal counsel to institute eminent domain proceedings on behalf of the city for the acquisition of the property if negotiations are unsuccessful; appropriating funds from a lawful source; providing a cumulative repealer clause; providing a severability clause; and providing for an effective date.

### **BACKGROUND:**

The City of Willow Park owns a bridge located at King's Gate Road over Clear Fork Trinity River. It has become necessary to replace the King's Gate Road bridge which requires the purchase of property. Negotiations to acquire the right-of-way have been unsuccessful to date. If the city cannot obtain a conveyance by negotiation, it will initiate eminent domain proceedings to acquire the property.

The City Council must adopt a Resolution authorizing the use of the power of eminent domain to acquire a tract of land containing approximately 0.0807 acres (3,514 sq ft), generally located northwest from the intersection of King's Gate Road and Interstate Highway 20 Frontage Road at 4200 E. Interstate 20 Service Road S in the City of Willow Park, for right-of-way, roadway, and other public uses, and such appurtenant facilities as may be necessary.

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### **STAFF RECOMMENDATION:**

Adopt a resolution authorizing condemnation to acquire fee acquisition of property on one tract for use as right-of-way for the King's Gate Road Bridge Replacement Project.

Motion: **I move that the City of Willow Park authorize the use of the power of eminent domain to acquire a tract of land containing approximately 0.0807 acres in fee simple located at 4200 E. Interstate 20 Service Road S in the City of Willow Park located in the Issac O. Headley Survey, Abstract No. 619, Property ID R000091194 and more fully described and depicted in Exhibit A of the proposed written resolution for this item, for right-of-way, roadway, and other public uses, and such appurtenant facilities as may be necessary, that the record vote on this single motion apply to all units of property to be condemned, if applicable, and that Resolution No. 2024-09 be adopted.**

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### **EXHIBIT:**

Resolution