



Wylie City Council

AGENDA REPORT

Department: Public Works
Prepared By: Tim Porter

Account Code: _____

Subject

Consider, and act upon, adoption of Resolution No. 2021-33(R) determining a public necessity to acquire certain property for public use by eminent domain for rights-of-way (in fee simple), related improvements for the construction, expansion, access, repair, maintenance and replacement of public road commonly referred to as Eubanks Lane (from Hwy 78 to approximately 1,000 feet north of Centennial Drive); giving notice of an official determination of public necessity to acquire certain property for public use by eminent domain for such rights-of-way (in fee simple), and related improvements for the construction, expansion, access, repair, maintenance and replacement of Eubanks Lane (from Hwy 78 to approximately 1,000 feet north of Centennial Drive); authorizing the City manager of the City of Wylie, Texas, to establish procedures for acquiring the rights-of-way (in fee simple), and related improvements for the construction, expansion, access, repair, maintenance and replacement of Eubanks Lane (from Hwy 78 to approximately 1,000 feet north of Centennial Drive), offering to acquire said property right, voluntarily, from the landowners through the making of bona fide offers including making initial and final offers; authorizing the City Attorney to file proceedings in eminent domain to condemn the needed real property for public use, if needed; appropriating funds; providing for repealing, savings and severability clauses; and providing for an effective date.

Recommendation

If the City Council desires to approve this item, the form of the motion is required by statute to be made as follows: "I move that the City Council of the City of Wylie, Texas authorize the use of the power of eminent domain to acquire property, in fee simple, located in the area described and depicted in Exhibit A to the Resolution under consideration by the City Council, for the purpose of the construction, expansion, access, repair, maintenance and replacement of Eubanks Lane (from Hwy 78 to approximately 1,000 feet north of Centennial Drive) and all appurtenances related thereto."

Discussion

In 2016 the City of Wylie and the North Texas Municipal Water District entered into an Interlocal Cooperation Agreement for Eubanks Lane Improvements for the section of Eubanks Road between State Highway 78 and the southern entrance to the NTMWD site on Eubanks Road. In this document, the City of Wylie is outlined to fund 100% of design services and right-of-way acquisition.

The engineering design of this section of road is nearing completion. The City's consultant, Halff Associates, Inc., has identified parcels in Exhibit A needed for the expansion of the roadway. Approval of the Resolution authorizes the City Manager the use of the power of eminent domain to acquire property in fee simple located in the area described. The project is funded through both East and West Thoroughfare Impact Fees.

Financial Summary/Strategic Goals

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