

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PFLUGERVILLE, TEXAS, ADOPTING THE AWARD AMOUNT OF SPECIAL COMMISSIONERS IN A CONDEMNATION ACTION STYLED CAUSE NO. C-1-PB-24-000287, THE CITY OF PFLUGERVILLE, TEXAS v. CORNERSTONE AT KELLY LANE, LLC. FOR THE ACQUISITION OF A RIGHT-OF-WAY FOR THE COLORADO SAND DRIVE EXTENSION PROJECT, AND AUTHORIZING RELEASE OF SAID AMOUNT AND DIRECTING THE CITY MANAGER OR THE CITY MANAGER'S DESIGNEE TO EXECUTE ALL DOCUMENTS TO FACILITATE THE ACQUISITION OF SAID PARCEL OF LAND.

WHEREAS, the City of Pflugerville, Texas (the "City") has found and determined that public necessity required the City to acquire certain right of ways from the landowner for the extension of Colorado Sand Drive from Copper Mine Drive southward to connect with the existing portion of Colorado Sand Drive north of Lone Star Ranch Blvd known as the Colorado Sand Drive Extension Project; and

WHEREAS, the City of Pflugerville City Council passed by recorded vote Resolution 2013-24-02-09-1173 on January 9, 2024, directing the City Manager or the City Manager's Designee to execute all documents to institute eminent domain proceedings and directing the City Attorney to initiate condemnation proceedings; and

WHEREAS, Special Commissioners appointed by the court with jurisdiction over condemnations in Travis County, Texas conducted a hearing and considered evidence and arguments as to the value of the property sought to be condemned and damages, if any, that will be sustained by the landowner, and awarded the landowner Cornerstone at Kelly Lane, LLC the amount of **Two Million, Two Hundred Thousand Dollars (\$2,200,000.00)**. A copy of the Special Commissioner's Award is attached and incorporated into this Resolution; and

WHEREAS, the City of Pflugerville hereby adopts the amount awarded by the Special Commissioners for the acquisition of the right-of-way for the Colorado Sand Drive Extension Project; and

WHEREAS, the City of Pflugerville City Council is authorizing the release of said funds into the registry of the Court or release of said amount by other lawful means as consideration for the City's acquisition of said right-of-way.

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

SECTION 1. The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council of the City of Pflugerville, Texas and made a part hereof for all purposes as findings of fact.

SECTION 2. The City of Pflugerville City Council adopts the Special Commissioners Award amount of **Two Million, Two Hundred Thousand Dollars and 00/00 (\$2,200,000.00)** and hereby release said amount into the registry of the court or release of said amount by other lawful means as consideration for the acquisition of the right-of-way for the Colorado Sand Drive Extension Project.

SECTION 3: The right-of way to be acquired is described by legal description and survey as part of the Special Commissioners Award that is attached to this Resolution.

SECTION 4: This Resolution shall become effective immediately upon its passage.

PASSED AND APPROVED on this _____ day of _____, 2024.

Victor Gonzales, Mayor
City of Pflugerville, Texas

ATTEST:

Trista Evans, City Secretary