



# City of Pflugerville

## Legislation Details (With Text)

<b>File #:</b>	RES-0412	<b>Version:</b>	1	<b>Name:</b>	
<b>Type:</b>	Resolution	<b>Status:</b>		Discuss and consider action	
<b>File created:</b>	3/31/2017	<b>In control:</b>		Public Works	
<b>On agenda:</b>	4/11/2017	<b>Final action:</b>		4/11/2017	
<b>Title:</b>	Discuss and consider action to approve a resolution with the caption reading: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PFLUGERVILLE, TEXAS, DIRECTING THE CITY MANAGER OR THE CITY MANAGER'S DESIGNEE TO EXECUTE ALL DOCUMENTS TO INSTITUTE EMINENT DOMAIN PROCEEDINGS FOR THE ACQUISITION OF 0.0268 ACRES OF LAND IN FEE-SIMPLE FOR RIGHT OF WAY PURPOSES AND 0.0092 ACRES OF LAND FOR A PERMANENT PUBLIC UTILITY EASEMENT, CONSISTING OF TWO PARCELS, OUT OF THE GEORGE M. MARTIN SURVEY NO. 9, ABSTRACT NO. 529, TRAVIS COUNTY, TEXAS AND BEING OUT OF THAT TRACT OF LAND DESCRIBED AS 12.104 ACRES IN A DEED TO DIAPER FULL OF LOVE, LLC, OF RECORD IN DOCUMENT NO. 2015179720 IN THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS; PROPERTY OWNED AND CLAIMED BY DIAPER FULL OF LOVE, LLC; AND DIRECTING THE CITY ATTORNEY TO INITIATE CONDEMNATION PROCEEDINGS.				

### Sponsors:

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**Attachments:** 1. Eminent Domain Resolution - Diaper Full of Love\_bso.v1, 2. Diaper Full of Love ROW & PUE Map

Date	Ver.	Action By	Action	Result
4/11/2017	1	City Council	Approved	Pass

Discuss and consider action to approve a resolution with the caption reading: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PFLUGERVILLE, TEXAS, DIRECTING THE CITY MANAGER OR THE CITY MANAGER'S DESIGNEE TO EXECUTE ALL DOCUMENTS TO INSTITUTE EMINENT DOMAIN PROCEEDINGS FOR THE ACQUISITION OF 0.0268 ACRES OF LAND IN FEE-SIMPLE FOR RIGHT OF WAY PURPOSES AND 0.0092 ACRES OF LAND FOR A PERMANENT PUBLIC UTILITY EASEMENT, CONSISTING OF TWO PARCELS, OUT OF THE GEORGE M. MARTIN SURVEY NO. 9, ABSTRACT NO. 529, TRAVIS COUNTY, TEXAS AND BEING OUT OF THAT TRACT OF LAND DESCRIBED AS 12.104 ACRES IN A DEED TO DIAPER FULL OF LOVE, LLC, OF RECORD IN DOCUMENT NO. 2015179720 IN THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS; PROPERTY OWNED AND CLAIMED BY DIAPER FULL OF LOVE, LLC; AND DIRECTING THE CITY ATTORNEY TO INITIATE CONDEMNATION PROCEEDINGS.

This resolution has been included on the agenda to allow for discussion and potential action regarding land acquisition needed for the Weiss Lane Roadway Project. As part of the project, it is necessary for the City to acquire this property. Staff and the City's land acquisition consultant, Lockwood, Andrews and Newman Inc., conducted discussions with the property owner on the status of the formal offer and explanations of the appraisal value. The property owner is seeking additional funds for this acquisition.

This resolution authorizes the City Manager to make one final formal offer to the property owner for

the appraised land value and execute all necessary documents to institute eminent domain proceedings if the final formal offer is not accepted.

The ordinance was prepared and approved by the City Attorney's office.

**Status**

The City has acquired or is finalizing all other property acquisition related to the Weiss Lane Roadway Project. The project requires acquisition of this property.

**Fiscal Impact**

The funds for payment of the appraised land value and any subsequent closing fees is being funded from the general obligation bonds authorized in 2014 and 2016.

**Staff Recommendation**

Discuss and take action as appropriate.

**Drafter**

Amy Giannini

City Engineer