

City of Mesquite, Texas

Legislation Details (With Text)

File #:	19-3928	Version:	1	Name:	Ordinance - Condemnation for MHT Ph 2
Type:	Agenda Item	Status:	Passed		
File created:	12/17/2018	In control:	City Council		
On agenda:	3/4/2019	Final action:	3/4/2019		

Title: An ordinance authorizing acquisition, including consideration of the use of eminent domain to condemn the property if such becomes necessary, from Extra Property Holdings, of a tract of land containing approximately 0.468 acre and a temporary construction easement containing approximately 0.431 acre, located at 2500 Towne Centre Drive and being all of Lot 2R, Block 1 out of the Towne Centre Commercial Addition to the City of Mesquite, Dallas County, Texas, for construction of Mesquite Heritage Trail, Phase 2.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Ordinance - Condemnation, 2. Summary of Contacts, 3. Location Map

Date	Ver.	Action By	Action	Result
3/4/2019	1	City Council	Approved	

An ordinance authorizing acquisition, including consideration of the use of eminent domain to condemn the property if such becomes necessary, from Extra Property Holdings, of a tract of land containing approximately 0.468 acre and a temporary construction easement containing approximately 0.431 acre, located at 2500 Towne Centre Drive and being all of Lot 2R, Block 1 out of the Towne Centre Commercial Addition to the City of Mesquite, Dallas County, Texas, for construction of Mesquite Heritage Trail, Phase 2.

The engineering of the Mesquite Heritage Trail, Phase 2, is complete and has identified properties and easements necessary for construction. The Trail is proposed to cross the Extra Property Holdings, property along South Mesquite Creek and Towne Centre Drive.

The City's right-of-way agent has made several attempts since March 12, 2018, to contact representatives of Extra Property Holdings, and its predecessor in interest, and discuss terms and value with little response. The property owner has refused all efforts to negotiate acquisition of the necessary property. The proposed ordinance authorizes Staff to continue negotiations and, if necessary, initiate condemnation proceedings.

All other properties for the project have either been closed or are pending. Dallas County has stated that all properties should be acquired by June 1, 2019, in order to bid the project in a timely manner.

Section 2206.053 of the Government Code mandates specific wording for a motion to initiate condemnation proceedings. Staff will furnish the appropriate wording at the Council meeting.

Recommended/Desired Action

Staff recommends approval of the ordinance.

Attachment(s)

Proposed Ordinance

Extra Property Holdings, Tract Summary of Contacts and Communications
Location Map

Drafter

Wes McClure, P.E.

Head of Department

Matthew Holzapfel, P.E.