



Legislation Details (With Text)

File #: 20-143 **Version:** 1 **Name:**

Type: CONSENT AGENDA **Status:** Approved

File created: 1/10/2020 **In control:** Department of Sustainable Development and Construction

On agenda: 2/12/2020 **Final action:** 2/12/2020

Title: Authorize settlement in lieu of proceeding with condemnation from Plains Capital Bank, of approximately 16,022 square feet of land for right-of-way and 14,167 square feet of land for a temporary working space easement located in Dallas County for the Southwest 120/96-inch Water Transmission Pipeline Project - Not to exceed \$346,578.00, increased from \$202,976.00 (\$199,976.00, plus closing costs and title expenses not to exceed \$3,000.00) to \$549,554.00 (\$543,554.00, plus closing costs and title expenses not to exceed \$6,000.00) - Financing: Water Capital Improvement E Fund

Sponsors:

Indexes: 200

Code sections:

Attachments: 1. Maps, 2. Resolution

Date	Ver.	Action By	Action	Result
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STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: February 12, 2020

COUNCIL DISTRICT(S): Outside City Limits

DEPARTMENT: Department of Sustainable Development and Construction

EXECUTIVE: Majed Al-Ghafry

SUBJECT

Authorize settlement in lieu of proceeding with condemnation from Plains Capital Bank, of approximately 16,022 square feet of land for right-of-way and 14,167 square feet of land for a temporary working space easement located in Dallas County for the Southwest 120/96-inch Water Transmission Pipeline Project - Not to exceed \$346,578.00, increased from \$202,976.00 (\$199,976.00, plus closing costs and title expenses not to exceed \$3,000.00) to \$549,554.00 (\$543,554.00, plus closing costs and title expenses not to exceed \$6,000.00) - Financing: Water Capital Improvement E Fund

BACKGROUND

This item authorizes a settlement in lieu of proceeding with condemnation from Plains Capital Bank, of approximately 16,022 square feet of land for right-of-way and 14,167 square feet of land for a temporary working space easement located in Dallas County for the Southwest 120/96-inch Water

Transmission Pipeline Project. This settlement will allow acquisition of the property without further condemnation proceedings.

This acquisition is part of the Long Range Water Master Plan and the Water Distribution Master Plan. The water transmission main is required to facilitate conveyance of treated water to the south and southwest portions of Dallas and its customer cities. Installation of approximately 32 miles of 96-inch and 120-inch water transmission pipeline is needed to meet near term critical demands associated with the population growth as determined through master planning efforts. The overall pipeline is sized to meet future water demands. The consideration is based on an independent appraisal. There are no relocation benefits associated.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On December 11, 2013, City Council authorized acquisition from First National Bank, of approximately 16,022 square feet of land and a temporary construction easement containing approximately 14,167 square feet located in Dallas County for the Southwest 120/96-inch Water Transmission Pipeline Project by Resolution No. 13-2079.

On September 22, 2015, City Council authorized acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from First National Bank, of a tract of land containing approximately 16,022 square feet and approximately 14,167 square feet of land for a temporary working space easement located in Dallas County for the Southwest 120/96-inch Water Transmission Pipeline Project by Resolution No. 15-1794.

On September 13, 2017, City Council authorized deposit of the amount awarded by the Special Commissioners in the condemnation proceedings styled City of Dallas v. Plains Capital Bank, et al., Cause No. CC-17-00127-B, pending in Dallas County Court at Law No. 2, to acquire a total of approximately 16,022 square feet of land for right-of-way and approximately 14,167 square feet of land for a temporary working space easement located in Dallas County for the Southwest 120/96-inch Water Transmission Pipeline Project; and settlement for the condemnation proceeding for an amount not to exceed the award by Resolution No. 17-1441.

FISCAL INFORMATION

Fund	FY 2020	FY 2021	Future Years
Water Capital Improvement E Fund	\$346,578.00	\$0.00	\$0.00

Resolution No. 13-2079 & 15-1794	\$148,177.00
Resolution No. 17-1441	\$ 54,799.00
Additional Amount (this action)	<u>\$346,578.00</u>
Total Authorized Amount	\$549,554.00

OWNER

Plains Capital Bank

Alan B. White, Chairman and Chief Executive Officer

MAPS

Attached