



Legislation Details (With Text)

File #: 21-754 **Version:** 1 **Name:**

Type: CONSENT AGENDA **Status:** Approved

File created: 4/16/2021 **In control:** City Attorney's Office

On agenda: 5/12/2021 **Final action:**

Title: Authorize settlement in lieu of proceeding further with condemnation in the condemnation suit styled City of Dallas v. Morris Dale Martin, et al, for acquisition from Morris Dale Martin, et al., of approximately 432,376 square feet of land for right-of-way located in Hunt County, Texas for the Lake Tawakoni 144-inch raw Water Transmission Pipeline Project - Not to exceed \$48,385.00, increased from \$55,000.00 (\$51,615.00, plus closing costs and title expenses not to exceed \$3,385.00) to \$103,385.00 (\$100,000.00, plus closing costs and title expenses not to exceed \$3,385.00) - Financing: Water Construction Fund

Sponsors:

Indexes: 200

Code sections:

Attachments: 1. Map, 2. Resolution

Date	Ver.	Action By	Action	Result
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STRATEGIC PRIORITY: Economic and Neighborhood Vitality

AGENDA DATE: May 12, 2021

COUNCIL DISTRICT(S): Outside City Limits

DEPARTMENT: City Attorney's Office

EXECUTIVE: Dr. Eric A. Johnson

SUBJECT

Authorize settlement in lieu of proceeding further with condemnation in the condemnation suit styled City of Dallas v. Morris Dale Martin, et al, for acquisition from Morris Dale Martin, et al., of approximately 432,376 square feet of land for right-of-way located in Hunt County, Texas for the Lake Tawakoni 144-inch raw Water Transmission Pipeline Project - Not to exceed \$48,385.00, increased from \$55,000.00 (\$51,615.00, plus closing costs and title expenses not to exceed \$3,385.00) to \$103,385.00 (\$100,000.00, plus closing costs and title expenses not to exceed \$3,385.00) - Financing: Water Construction Fund

BACKGROUND

This item authorizes settlement for the acquisition from Morris Dale Martin, et al., of approximately 432,376 square feet of land for right-of-way located in Hunt County, Texas for the Lake Tawakoni 144 -inch raw Water Transmission Pipeline Project. This settlement will allow acquisition of the property

without further condemnation proceedings.

This acquisition is part of the right-of-way required to construct approximately 32 miles of pipeline from Lake Tawakoni to the Interim Balancing Reservoir located in Terrell, TX and then to the Eastside Water Treatment Plant located in Sunnyvale, TX. The new raw water pipeline will augment the existing 72-inch and 84-inch pipelines. The construction of this pipeline will give Dallas Water Utilities the ability to utilize the full capacity of both the Lake Tawakoni and the Lake Fork raw water supply to meet the current city needs and future water demands.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On September 28, 2016, City Council authorized the acquisition from Morris Dale Martin, of approximately 432,376 square feet of land located in Kaufman County for the Lake Tawakoni 144-inch Transmission Pipeline Project by Resolution No. 16-1585.

On January 25, 2017, City Council authorized the second step of acquisition for condemnation by eminent domain to acquire a tract of land containing approximately 432,376 square feet located in Kaufman County for the Lake Tawakoni 144-inch pipeline Project, from Morris Dale Martin by Resolution No. 17-0216.

City Council was briefed by confidential memorandum regarding this matter on May 7, 2021.

FISCAL INFORMATION

Fund	FY 2021	FY 2022	Future Years
Water Construction Fund	\$48,385.00	\$0.00	\$0.00

<u>Land Acquisition</u>	
Resolution No. 16-1585	\$ 55,000.00
<u>Eminent Domain</u>	
Resolution No. 17-0216	\$ 55,000.00
	+
Additional Amount (this action)	<u>\$ 48,385.00</u>
Total Authorized Amount	\$103,385.00

OWNER

Morris Dale Martin

MAP

Attached