



Legislation Text

File #: 22-1282, Version: 1

STRATEGIC PRIORITY: Transportation & Infrastructure

AGENDA DATE: June 22, 2022

COUNCIL DISTRICT(S): 8

DEPARTMENT: Department of Public Works

EXECUTIVE: Dr. Robert Perez

SUBJECT

Authorize the **(1)** deposit of the amount awarded by the Special Commissioners in the condemnation proceedings styled City of Dallas v. Alvin Julius Scott, Sr., et al., Cause No. CC-22-00337-A, pending in Dallas County Court at Law No. 1, to acquire a wastewater easement of approximately 11,826 square feet of land located near the intersection of University Hills Boulevard and Camp Wisdom Road for the University Hills Infrastructure Project; and **(2)** settlement of the condemnation proceeding for an amount not to exceed the award - Not to exceed \$2,225.00, increased from \$9,990.00 (\$8,900.00, plus closing costs and title expenses not to exceed \$1,090.00) to \$12,215.00 (\$11,125.00 being the award, plus closing costs and title expenses not to exceed \$1,090.00) - Financing: Water Utilities Capital G Fund

BACKGROUND

On October 27, 2021, City Council authorized the acquisition of this property by Resolution No. 21-1773 and on August 11, 2021, City Council authorized acquisition through the use of condemnation by Resolution No. 21-1216. The property owner was offered \$8,900.00, plus closing cost and title expenses not to exceed \$1,090.00, which was based on a written appraisal from an independent certified appraiser. The property owner did not accept the offer and the City filed an eminent domain proceeding to acquire the property. After a hearing on June 2, 2022, the Special Commissioners awarded the property owner \$11,825.00.

This item authorizes deposit of the amount awarded by the Special Commissioners for the property, which is \$2,225.00 more than the City Council originally authorized for this acquisition.

The City has no control over the Special Commissioners appointed by the judge or any award that is subsequently rendered by the Special Commissioners. The City, in order to acquire possession of the property and proceed with its improvements, must deposit the amount awarded by the Special Commissioners in the registry of the Court.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On August 11, 2021, City Council authorized acquisition by Resolution No. 21-1216.

On October 27, 2021, City Council authorized the use of condemnation by Resolution No. 21-1773.

FISCAL INFORMATION

Fund	FY 2022	FY 2023	Future Years
Water Utilities Capital G Fund	\$2,225.00	\$0.00	\$0.00

Resolution No. 21-1773 \$9,990.00
Additional Amount (this action) \$2,225.00

Total Authorized Amount \$12,215.00

OWNER

Angela Hickman Scott

Alvin'a Scott

Alvin Scott, Jr.

Andrew Scott

MAP

Attached