



## Legislation Details (With Text)

**File #:** 19-619      **Version:** 1      **Name:**  
**Type:** CONSENT AGENDA      **Status:** Approved  
**File created:** 4/18/2019      **In control:** Department of Sustainable Development and Construction  
**On agenda:** 9/23/2020      **Final action:** 9/23/2020  
**Title:** Authorize settlement in lieu of proceeding further with condemnation in the condemnation suit styled City of Dallas v. Mark C. Jacobs and Leslie D. Jacobs, et al., pending in County Court at Law, Cause No. CC-19-04651-A, for acquisition from Mark C. Jacobs and Leslie D. Jacobs, et al., of approximately 45,835 square feet of land for right-of-way located in Dallas County, Texas for the Southwest 120/96-inch Water Transmission Pipeline Project - Not to exceed \$96,838.00, increased from \$80,680.00 (\$78,162.00, plus closing costs and title expenses no to exceed \$2,518.00) to \$177,518.00 (\$175,000.00, plus closing costs and title expenses not to exceed \$2,518.00) - Financing: Water Capital Improvement D Fund

**Sponsors:**

**Indexes:** 200

**Code sections:**

**Attachments:** 1. Map, 2. Resolution, 3. Exhibit A

Date	Ver.	Action By	Action	Result
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**STRATEGIC PRIORITY:** Mobility Solutions, Infrastructure, and Sustainability  
**AGENDA DATE:** September 23, 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 further with condemnation in the condemnation suit styled City of Dallas v. Mark C. Jacobs and Leslie D. Jacobs, et al., pending in County Court at Law, Cause No. CC-19-04651-A, for acquisition from Mark C. Jacobs and Leslie D. Jacobs, et al., of approximately 45,835 square feet of land for right-of-way located in Dallas County, Texas for the Southwest 120/96-inch Water Transmission Pipeline Project - Not to exceed \$96,838.00, increased from \$80,680.00 (\$78,162.00, plus closing costs and title expenses no to exceed \$2,518.00) to \$177,518.00 (\$175,000.00, plus closing costs and title expenses not to exceed \$2,518.00) - Financing: Water Capital Improvement D Fund

### BACKGROUND

This item authorizes settlement in lieu of proceeding further with condemnation in the condemnation

suit styled City of Dallas v. Mark C. Jacobs and Leslie D. Jacobs, et al., pending in County Court at Law, Cause No. CC-19-04651-A, for acquisition from Mark C. Jacobs and Leslie D. Jacobs, et al., of approximately 45,835 square feet of land for right-of-way located in Dallas County, Texas 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 August 11, 2010, City Council authorized acquisition including the exercise of the right of eminent domain, if such becomes necessary, by Resolution Nos. 10-1975. On April 10, 2013, City Council authorized eminent domain by Resolution No. 13-0639. On November 12, 2013, City Council authorized acquisition for a negotiated price higher than the authorized purchase amount by Resolution No. 13-1948.

### **FISCAL INFORMATION**

Fund	FY 2020	FY 2021	Future Years
Water Capital Improvement D Fund	\$177,518.00	\$0.00	\$0.00

### **OWNERS**

Mark C. Jacobs

Leslie D. Jacobs

### **MAP**

Attached