

TOWN OF ADDISON, TEXAS

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS AUTHORIZING THE CITY MANAGER TO EXECUTE SUCH INSTRUMENTS ON BEHALF OF THE CITY AS MAY BE NECESSARY FOR THE CITY TO ACQUIRE AN INTEREST IN CERTAIN REAL PROPERTY FOR THE PUBLIC USE OF, AMONG OTHERS, IMPROVEMENTS TO BELT LINE ROAD; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town of Addison, Texas (the “City”) desires to improve Belt Line Road by causing overhead utility lines located along Belt Line Road from Marsh Lane to Dallas Parkway to be placed underground, and the process to do so for the portion of Belt Line Road between Marsh Lane and Midway Road has been initiated and is underway; and

WHEREAS, while most of the overhead utility line relocation will occur within the existing public right-of-way, public easements, and other public property interests available to the City for that public use and purpose, there are some instances that will require the City to obtain from the owner of real property that abuts or lies adjacent to Belt Line Road the right to use a portion of that property for one or more public uses, including the improvement of Belt Line Road; and

WHEREAS, the acquisition of any such portions may require, in some instances, the expenditure of public funds, the amount of which may be determined by a written appraisal prepared in accordance with law, and if any such acquisition is mutually agreeable to the property owner and the City, the City Council desires to authorize the City Manager to complete such acquisition and to expend therefor an amount not exceeding the amount of a written appraisal.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS:

Section 1. If a property owner as described in the Recitals above and the City reach a mutual agreement regarding the City’s acquisition of a portion of the property owner’s real property for one or more public uses, including the improvement of Belt Line Road, as described above, which agreement may include the payment by the City for the portion acquired and amounts related thereto, the City Manager is hereby authorized to execute, on behalf of the City, such instruments as may be necessary or required to document and to consummate the agreement and to cause the expenditure of City funds for such acquisition and related costs, provided the amount expended for such acquisition does not exceed the amount of a written appraisal obtained by City that is applicable to such portion.

Section 2. The above and foregoing recitals are true and correct and are incorporated into and made a part of this Resolution.

Section 3. This Resolution shall take effect from and after its passage and approval.

PASSED AND APPROVED by the City Council of the Town of Addison, Texas this the _____ day of March, 2014.

Todd Meier, Mayor

ATTEST:

By: _____
Matt McCombs, City Secretary

APPROVED AS TO FORM:

By: _____
John Hill, City Attorney