

**TOWN OF ADDISON, TEXAS**

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS, AUTHORIZING THE USE OF EMINENT DOMAIN FOR THE ACQUISITION OF PERMANENT RIGHT-OF-WAY, UTILITY EASEMENTS, AND TEMPORARY CONSTRUCTION EASEMENTS FOR THE RECONSTRUCTION OF MIDWAY ROAD FROM VALLEY ROAD TO KELLER SPRINGS ROAD.**

**WHEREAS**, due to the growth of the population of the Town of Addison and the increased traffic loads in the Town of Addison on and along Midway Road, it is necessary to widen and improve Midway Road to provide for the public health, safety and welfare; and

**WHEREAS**, due to the Town of Addison's goals of providing a safe and efficient road and street system as a part of its master thoroughfare plan, it is necessary to widen and improve Midway Road; and

**WHEREAS**, in order to accomplish the above public purposes, it is necessary to acquire permanent easements, fee simple title, and temporary construction easements on, over and across those certain properties on Midway Road from Spring Valley to Keller Springs Road as shown on Exhibit "A" to provide for the construction, re-construction, widening, improvement and operation and maintenance of Midway Road, public utilities, public sidewalks, and landscaping.

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

**Section 1.** There is a public need for and the public welfare, safety and convenience will be served by the acquisition of fee simple title, permanent easements and temporary construction easements for the properties described in Exhibit "A" attached hereto; and

**Section 2.** It is in the best interest of the Town of Addison, and is necessary to acquire fee simple title, permanent easements and temporary construction easements through eminent domain on, over, and across the twenty five (25) properties described in Exhibit "A" for the construction, re-construction, widening, improvement, operations and maintenance of Midway Road, sidewalks, landscaping and public utilities.

**Section 3.** The use of eminent domain is hereby authorized to acquire fee simple title, permanent easements for Right-of-Way and Utilities and temporary construction easements on, over and across the properties described in Exhibit "A".

**Section 4.** Funding for the acquisition of the easements is available from current funds and use of these funds for acquisition of the above property interests is hereby authorized.

**Section 5.** That if any portion of this Resolution shall, for any reason, be declared invalid by any court of competent jurisdiction, such invalidity shall not affect the remaining provisions hereof and the City Council hereby determines that it would have adopted this Resolution without the invalid provision.

**Section 6.** This Resolution shall take effect from and after its passage and it is accordingly resolved.

**PASSED AND APPROVED** on this \_\_\_\_\_ day of February 2020.

APPROVED:

\_\_\_\_\_  
Joe Chow, Mayor

ATTEST:

\_\_\_\_\_  
Irma Parker, City

## Exhibit "A"

### Midway Road Reconstruction Acquisition Properties

Owner Name	Property Location
Greenhill School	4141 Spring Valley Rd (Greenhill School)
CP Greenhill, LLC, a Texas limited liability company	14131 Midway Rd (Greenhill Towers)
Saskaway Six LP, a Texas limited partnership	14275 Midway Rd (Midway Atriums)
14315 Midway Road Addison LLC, a Delaware limited liability company	14315 Midway Rd (Crowne Plaza)
Emerald Seas, LLC, a Texas limited liability company	14655 Midway Rd (James Antony Home)
Midway Office Park, LLC, a Texas limited liability company	14665 Midway Rd (Midway Office Park)
14671-14683 Midway Road LP, a Texas limited partnership	14673 Midway Rd (Office in the Park)
Habib Elahinejad	14775 Midway Rd (Addison Event Center)
VVI, Inc., a Texas corporation	14831 Midway Rd (Jaxx Steakhouse)
Carroll Family Investments, Ltd., a Texas limited partnership	14941 Midway Rd
Piedmont Midway Partners, L.P., a Texas limited partnership	14951 Midway Rd (Nate's)
Piedmont Midway Partners, L.P., a Texas limited partnership	15099 Midway Rd (Starbucks)
J.S. Miller Family Limited Partnership I, a Texas limited partnership	14920 Midway Rd (Blue Goose)
K & B Lewis Texas, Ltd.; Gartner Management Trust; W.W. Willingham, III;	14930 Midway Rd (The Londoner)
FCPT SW Properties, LLC, a Delaware limited liability company	4240 Belt Line Rd (Olive Garden)
MidBelt Center, Ltd., a Texas limited partnership	4201 Belt Line Rd (Ghengis Grill)
The Merrifield No. 1 Limited Partnership, a Texas limited partnership	4151 Belt Line Rd (Beltway Center)
Midway Centurion, Ltd., a Texas limited partnership	15101 Midway Rd (Charter Furniture)
McLane Foodservice Inc., a Texas corporation	2085 Midway Rd
14400 Midway, LLC, a Texas limited liability company	15100 Midway Rd (Premier Autos)
Hard Six Holdings, LLC, a Texas limited liability company	next to 15100 Midway Rd
SBLFT/OF I, LTD., a Texas limited partnership	15200 Midway Rd (Multitenant Industrial Building)
Forest-Way Corporation, a Texas corporation	15402 Midway Rd (Multitenant Industrial Building)
Midway-Addison Group Ltd., a Texas limited partnership	15500 Midway Rd (Enterprise Car Rental)
Concentra Mgmt Care Center, Inc. DBA Concentra Medical Center	15800 Midway Rd (Concentra Urgent Care)