

**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 KELLER SPRINGS ROAD AND AIRPORT PARKWAY FROM DALLAS NORTH TOLLWAY TO ADDISON ROAD, AND AUTHORIZING THE CITY MANAGER TO EXECUTE ALL DOCUMENTS.**

**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 Keller Springs Road and Airport Parkway, it is necessary to widen and improve Keller Springs Road and Airport Parkway 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 Keller Springs Road and Airport Parkway; 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 Keller Springs Road and Airport Parkway from Dallas North Tollway to Addison Road as shown on Exhibit “A” to provide for the construction, reconstruction, widening, improvement and operation and maintenance of Keller Springs Road and Airport Parkway, 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 six-teen (16) properties described in Exhibit “A” for the construction, reconstruction, widening, improvement, operations and maintenance of Keller Springs Road and Airport Parkway, sidewalks, landscaping, and public utilities. The City Manager is hereby authorized to execute all documents and take those steps necessary to acquire the above interests.

**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 fee simple title and easements is available from current funds allocated to the Keller Springs Road and Airport Parkway CIP budget, 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.

**DULY RESOLVED AND ADOPTED** by the City Council of the Town of Addison, Texas, on this the 12<sup>th</sup> day of JULY, 2022.

**TOWN OF ADDISON, TEXAS**

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

**ATTEST:**

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

## Exhibit "A"

### Keller Springs Road and Airport Parkway Reconstruction Acquisition Properties

Owner Name	Property Location
<b>Keller Springs Road</b>	
Addison Keller Springs, LTD	4801 Keller Springs Road
First Equipment Company	4851 Keller Springs Road
Drybern LTD	4901 Keller Springs Road
EE Realty Inc. - Raymond Martin Jr.	4949 Keller Springs Road
Mary Kay Inc.	16104 Quorum Drive
FSP Liberty Plaza Limited Partnership	5055 Keller Springs Road
Mary Kay Inc.	16111 Dallas Parkway
Sir Properties Trust (Bank of America)	16001 Dallas Parkway
Kennington No. 1 LTD PS	4950 Keller Springs Road
<b>Airport Parkway</b>	
Dealers Assurance Comp. – David S Levine	15920 Addison Road
4525 North Josey LTD – Remington Partners Inc.	4901 Airport Parkway
Sir Properties Trust (Bank of America)	16001 Dallas Parkway
PAR Capital-Madison LLC.	15851 Dallas Parkway
SWGA Ventures LTD	4850 Airport Parkway
Cross Timbers Holdings	4800 Airport Parkway
Kennington No. 1 LTD PS	4950 Airport Parkway