

described by metes and bounds attached to said Resolution, said depictions and descriptions being incorporated in their entirety into this motion for all purposes including the construction, access and maintenance of infrastructure improvements on the east side of N. McDonald Street north of its intersection with Spur 399 associated with the SH 5 Utility Relocation Project (WA1633 & WW1633).”

- A roll call vote is required for this item.

ITEM SUMMARY:

- This Resolution provides authority to the City Manager to execute documents for the acquisition of property rights and the use of Eminent Domain to condemn property interests in order to acquire a Water Line Easement and a Temporary Construction Easement necessary for the SH 5 Utility Relocation Project (WA1633 & WW1633).

BACKGROUND INFORMATION:

- In conjunction with TxDOT’s upcoming Hwy 5 reconstruction project, the City of McKinney needs to move existing utilities out of the TxDOT right-of-way onto private property. Construction of the project is scheduled to begin early next year.
- The Project requires the acquisition of a Water Line Easement and a Temporary Construction Easement from the property owner.
- The property owner has been informed of the Project details and necessity for the acquisition portions of their property.
- Initial and Final offer letters were presented to the property owner based on a valuation by an independent third-party appraiser.
- The property owner has not responded to the City’s final offer letter with an appropriate settlement amount.
- While staff will continue efforts to work with the property owner in order to acquire the easements amicably, it is necessary to begin condemnation proceedings to keep the project on schedule.
- The property owner is identified below and the property is described and depicted in the attached Resolution as Exhibit A, Tract I, Exhibit A, Tract II, Exhibit A, Tract III, and Exhibit A, Tract IV. The acquisition of the easements are necessary for the SH 5 Utility Relocation Project (WA1633 & WW1633).

Property Owner	Description	Area/Acres	Resolution Exhibit
Issam Al Shmaisani	Water Line Easement Temporary Construction Easement	0.130 acres	Exhibit A, Tract I
		0.013 acres	Exhibit A, Tract II
		0.170 acres	Exhibit A, Tract III
		0.014 acres	Exhibit A, Tract IV

FINANCIAL SUMMARY:

- Funds for the property acquisition are available in Project WA1633 & WW1633.

BOARD OR COMMISSION RECOMMENDATION:

- N/A