

A RESOLUTION AUTHORIZING SETTLEMENT OF A CONDEMNATION SUIT.

IN THIS RESOLUTION THE FOLLOWING DEFINITIONS SHALL APPLY:

CONDEMNATION SUIT: Cause No. cc-06-13872-d in County Court at Law No. 4, and styled *City of Dallas v. Reliance Asset Trust, et al.*

PROJECT: Trinity River Project

COMMISSIONERS' AWARD: The sum of \$86,000.00 previously approved in Resolution No. 080848 and deposited into the registry of the County Court at Law No. 4 on April 25, 2008.

SETTLEMENT AMOUNT: \$250,000.00

TITLE INSURANCE COSTS: \$3,000.00

ADDITIONAL AMOUNT: \$164,000.00, the difference between the Commissioners' Award and the settlement amount.

AUTHORIZED AMOUNT: \$167,000.00

DESIGNATED FUNDS: Trinity River Corridor Project Fund No. TP14, Agency PBW, Unit N962, Activity TRPP, Program No. PB98N962, Object 4210, CT-PBW98N962I2

WHEREAS, the City Council desires to authorize the City Attorney and the City Manager to enter into a settlement of the CONDEMNATION SUIT in connection with the PROJECT; **Now, Therefore**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the City Attorney and the City Manager are authorized to settle said CONDEMNATION SUIT for a total amount, including the commissioners' award, not to exceed the SETTLEMENT AMOUNT.

SECTION 2. That the City Attorney and the City Manager are authorized to prepare and execute such documents as may be necessary to effect the settlement described herein.

SECTION 3. That the City Controller is hereby authorized and directed to issue a check, paid out of and charged to the DESIGNATED FUNDS in the ADDITIONAL AMOUNT payable to WWM Partnership Trust and Dawson & Sodd, P.C. Trust Account.


June 10, 2009

SECTION 4. That the City Controller is hereby authorized and directed to issue a check, paid out of and charged to the DESIGNATED FUNDS for the TITLE INSURANCE COSTS payable to insurer issuing the title policy. The ADDITIONAL AMOUNT and the TITLE INSURANCE COSTS shall not exceed the AUTHORIZED AMOUNT.

SECTION 5. That this Resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

APPROVED BY
CITY COUNCIL

JUN 10 2009


CITY CLERK