

A RESOLUTION AUTHORIZING THE DEPOSIT OF A SPECIAL COMMISSIONERS' AWARD AND SETTLEMENT OF THE CONDEMNATION SUIT FOR THE AWARD.

IN THIS RESOLUTION THE FOLLOWING DEFINITIONS SHALL APPLY:

CONDEMNATION SUIT: Cause No. CC-08-09085-E, in County Court at Law No. 5, and styled *City of Dallas v. J.S.A. Sportatorium, Inc., et al*, filed pursuant to City Council Resolution No. 08-1555.

PROPERTY: Approximately 9,744 square feet of land situated in City Block 69/7388 of the City of Dallas, Dallas County, Texas, as described in said condemnation suit.

PROJECT: Cadiz Street Pump Station project

OFFICIAL OFFER: \$151,878.00

AWARD: \$275,000.00

CLOSING COSTS: \$2,100.00

DESIGNATED FUNDS: Payable out of Water Utilities Capital Construction Funds No. 0103, Department DWU, Unit CS40, Object 4250, Program No. 709160, Activity No. MPSA, Encumbrance No. CT-DWU706310AA.

WHEREAS, the official offer having been made and refused, the City Attorney instituted a condemnation suit for the acquisition of the Property for the Project; and

WHEREAS, the Special Commissioners in Condemnation appointed by the Court in the Condemnation Suit made an award which the City Council wishes to deposit with the County Clerk of Dallas County, Texas, so that the City may take possession of the Property; and

WHEREAS, the City Council desires to authorize the City Attorney to settle the Condemnation Suit for an amount not to exceed the special commissioners' Award; Now, Therefore,

September 22, 2010

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

SECTION 1. That the City Controller is hereby authorized and directed to issue a check, paid out of and charged to the Designated Funds, in the amount of the Award payable to the County Clerk of Dallas County, Texas, to be deposited by the City Attorney with said County Clerk,

SECTION 2. That the City Controller is hereby authorized and directed to issue a check, paid out of and charged to the DESIGNATED FUNDS, in the amount of the CLOSING COSTS payable to the title company.

SECTION 3. That the City Attorney is authorized to settle said Condemnation Suit for an amount not to exceed the special commissioners' Award.

SECTION 4. 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 AS TO FORM

Thomas P. Perkins Jr.

City Attorney

By: _____

Assistant City Attorney

APPROVED BY
CITY COUNCIL

SEP 22 2010

Richard Watkins
City Secretary