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CITY SECRETARY
DALLAS, TEXAS



Memorandum

CITY OF DALLAS

Date April 23, 2013
To Rosa A. Rios
City Secretary
Subject Resolution No. 130627

Council Resolution number 130627 was approved on April 10, 2013. Information provided as the definition for Designated Funds of the resolution did not include a second funding source. Designated Funds of resolution No. 130627 should read as follows:

DESIGNATED FUNDS: Street and Transportation Improvements Fund, Unit U779, Activity No. THRF, Program No. PB06U779, Department PBW, Object 4210, Encumbrance No. CT-SUSU779PM84, Fund No. 7T22-\$225,000 and Fund No. 1T22-\$47,500.

Please attach this memo as a permanent addition to the resolution file.

Bonnie Meeder

Bonnie Meeder
Assistant Director
Development Services

Attachment

RRR 5/10/13
R 5/10/13

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-12-05902-A, in County Court at Law No. 1, and styled City of Dallas v. Dallas 2224 Elm, Ltd., et al., filed pursuant to City Council Resolution No. 12-1675.

PROPERTY: Approximately 1,620 square feet of land situated in City Block 22/137 in the City of Dallas, Dallas County, Texas, as described in said condemnation suit.

PROJECT: Central Expressway to Live Oak Realignment Project

OFFICIAL OFFER: \$220,000

AWARD: \$270,000

CLOSING COSTS AND TITLE EXPENSES: Not to exceed \$2,500

AUTHORIZED AMOUNT: Not to exceed \$272,500

DESIGNATED FUNDS: Street and Transportation Improvements Fund, Fund No. 7T22, Unit U779, Activity No. THRF, Program No. PB06U779, Department PBW, Object 4210 and Encumbrance No. CT-SUSU779PM84.

WHEREAS, the official offer having been made and refused, the City Attorney filed the Condemnation Suit for the acquisition of the Property for the Project; and,

WHEREAS, the Special Commissioners 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 Award; **Now, Therefore,**

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 the County Clerk and in the amount of the Closing Costs and Title Expenses payable to the title company closing the transaction described herein. The Award, Closing Costs and Title Expenses together shall not exceed the Authorized Amount.

SECTION 2. That the City Attorney is authorized to settle the Condemnation Suit for an amount not to exceed the Award.

SECTION 3. 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: Christopher C. Hunt
Assistant City Attorney

