

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-13-02713-D, in County Court at Law No. 4, and styled City of Dallas v. Ike Stearn et al, filed pursuant to City Council Resolution No. 12-2541.

PROPERTY: Approximately 6,145 square feet of land located in Dallas County, as described in the Condemnation Suit.

PROJECT: South Central/Joppa Gateway

OFFICIAL OFFER: \$2,150.00

AWARD: \$3,524.82

CLOSING COSTS AND TITLE EXPENSES: Not to exceed \$2,000.00

AUTHORIZED AMOUNT: Not to exceed: \$5,524.82

DESIGNATED FUNDS: Payable out of the 2006 Bond Funds, Fund No.8T00, Department PKR, Unit T283, Activity RFSI, Program No. PK06T283, Object 4210, Encumbrance No. CT- PKR12019345E.

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

Warren M. S. Ernst
Interim City Attorney

By: _____

Christy C. Smith
Assistant City Attorney

APPROVED BY
CITY COUNCIL

OCT - 8 2013

Paul G. Davis
City Secretary