

**Resolution determining the public necessity and public use for the acquisition of fee simple property rights for a public improvement project known as the La Volla Creek Detention Pond Project; authorizing negotiation to acquire the property interests; authorizing condemnation by eminent domain to acquire fee simple property interests in approximately 132 acres of land owned by Lands Greenwood 2018 LLC located near the intersection of Saratoga Boulevard and Greenwood Drive**

**WHEREAS**, the City of Corpus Christi is in need of fee simple property rights for the purposes of constructing public improvements for the La Volla Creek Detention Pond Project near the intersection of Saratoga Boulevard and Greenwood Drive;

**WHEREAS**, in accordance with Section 2206.053 of the Texas Government Code, the City Council of the City of Corpus Christi, Texas, has met after a duly noticed meeting in compliance with the Texas Open Meetings Act, and by a record vote of the City Council, the City Council has determined to utilize its constitutional and statutory authority to exercise its authority for eminent domain in accordance with State law for construction of the La Volla Creek Detention Pond Project; and

**WHEREAS**, the fee simple property rights are necessary to advance the public uses recited herein; and

**WHEREAS**, based on an engineering study, the location of the detention pond and related public improvements optimizes the enhancement and adequacy of the municipal stormwater system.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CORPUS CHRISTI, TEXAS:**

**Section 1.** All of the Recitals are hereby found to be true and correct legislative and factual findings of the City of Corpus Christi Texas, and they are hereby approved and the Recitals are incorporated for all purposes as if they were fully recited herein.

**Section 2.** That the City Council of the City of Corpus Christi, Texas, hereby finds and determines that a public use and necessity exists for the welfare of the City and its citizens to construct the La Volla Creek Detention Pond Project, and it is in the public interest to acquire the tract of approximately 132 acres of land owned by Lands Greenwood 2018 LLC near the intersection of Saratoga Boulevard and Greenwood Drive, as shown on the attached **Exhibit A - Project Location Map**, for such public use; that such acquisition is solely for the public use and necessity of acquiring this uniquely situated land for providing improvements to its municipal stormwater system.

**Section 3.** That the City Manager or designee is hereby authorized on behalf of the City to negotiate to acquire the fee simple property interests for the La Volla Creek Detention Pond Project. If an agreement cannot be reached, then the City Manager is delegated the authority to direct the City Attorney, or designee, to file or cause to be filed against all interested parties of the property proceedings in eminent domain in accordance with State law to acquire the easements and fee simple interests in the property. If it is later determined that there are any errors in the descriptions contained

herein or if later surveys contain more accurate revised description, the City Attorney or designee is authorized to have such errors corrected or revisions made without the necessity of obtaining the City Council approval authorizing the condemnation of the corrected or revised properties.

**Section 4.** That this resolution shall take effect immediately from and after its passage.

PASSED AND APPROVED on the \_\_\_\_\_ day of \_\_\_\_\_, 2020

Joe McComb \_\_\_\_\_

Roland Barrera \_\_\_\_\_

Rudy Garza \_\_\_\_\_

Paulette M. Guajardo \_\_\_\_\_

Gil Hernandez \_\_\_\_\_

Michael Hunter \_\_\_\_\_

Ben Molina \_\_\_\_\_

Everett Roy \_\_\_\_\_

Greg Smith \_\_\_\_\_

ATTEST:

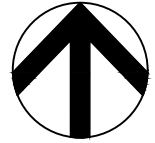
CITY OF CORPUS CHRISTI

\_\_\_\_\_  
Rebecca Huerta  
City Secretary

\_\_\_\_\_  
Joe McComb  
Mayor

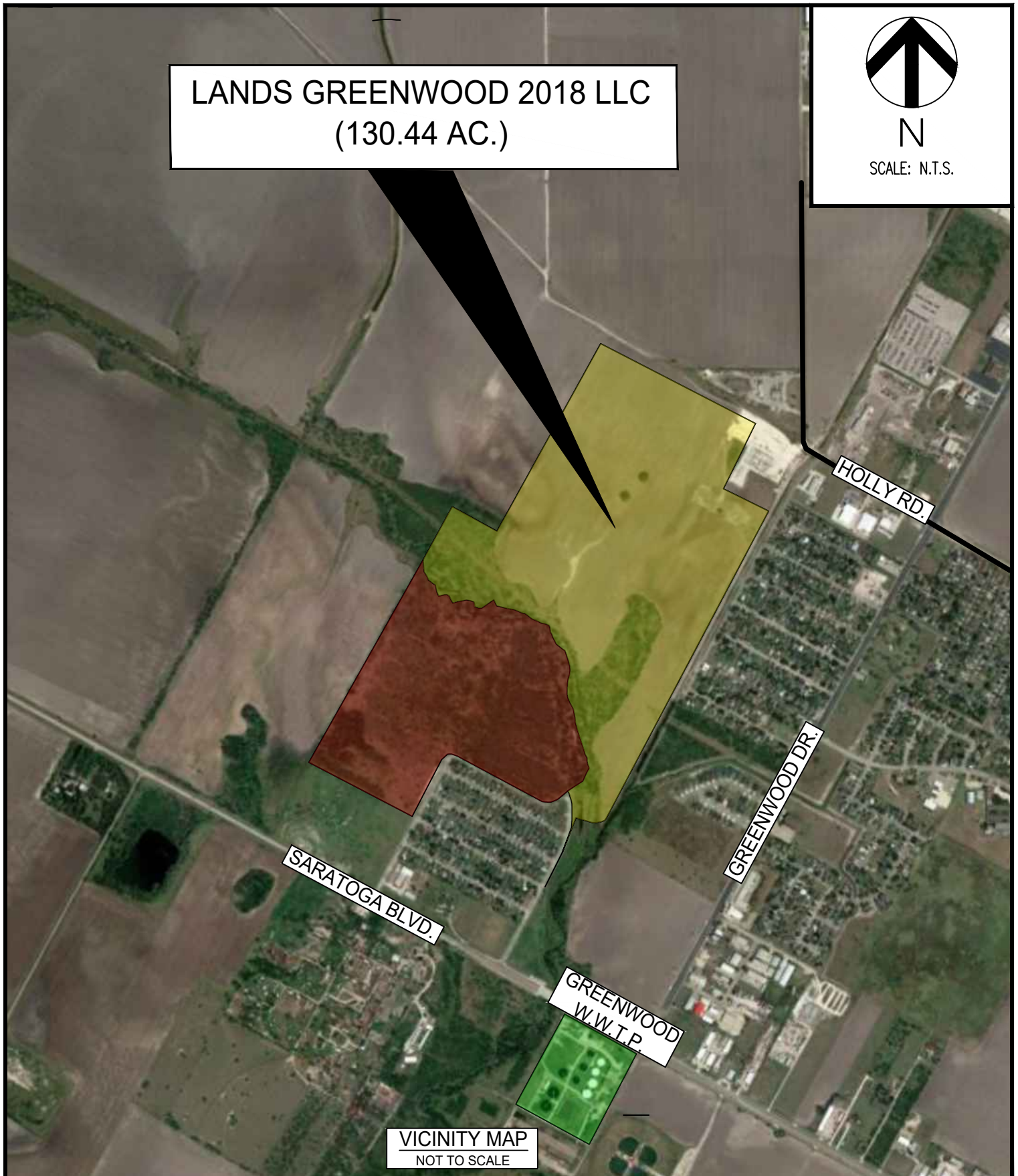
## **Exhibit A - Project Location Map**

LANDS GREENWOOD 2018 LLC  
(130.44 AC.)



N

SCALE: N.T.S.



VICINITY MAP  
NOT TO SCALE

LAND ACQUISITION  
GREENWOOD 2018 LLC

CITY COUNCIL EXHIBIT

CITY OF CORPUS CHRISTI, TEXAS  
DEPARTMENT OF ENGINEERING SERVICES

