

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GEORGETOWN, FINDING PUBLIC CONVENIENCE AND NECESSITY FOR THE SOUTH LAKE TREATED TRANSMISSION MAIN PROJECT; AUTHORIZING EMINENT DOMAIN PROCEEDINGS, IF NECESSARY, FOR THE ACQUISITION OF REAL PROPERTY RIGHTS NECESSARY FOR THE PROJECT; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, in order to facilitate the safe and efficient supply of treated water to customers of the Georgetown Water Utility, to preserve the financial investment of the City in its utility infrastructure, and to protect the safety of the public, the City of Georgetown (the “City”) hereby finds that public convenience and necessity requires the acquisition of easement interests on, over, under, and across multiple properties in Williamson County, Texas, for the purposes of laying out, opening, constructing, reconstructing, maintaining, widening, extending, and operating the South Lake Treated Transmission Main, a water supply project (hereinafter the “Project”), from the location of the planned South Lake Water Treatment Plant to a point on the eastern boundary of the Santa Rita Ranch development, each as identified on Exhibit “A” attached hereto and by this reference incorporated herein;

WHEREAS, as provided for in Sections 251.001 and 273.001 of the Local Government Code, the City finds and determines that easements across properties in the general area of the Project may be necessary or convenient for the purposes of laying out, opening, constructing, reconstructing, maintaining, widening, extending, and operating the Project, including utility improvements, access drives, public utility infrastructure improvements, and/or other public uses and purposes related thereto as permitted by law, and it is necessary to acquire easement rights in, over, under, and across properties along the general route of the Project as shown in Exhibit “B” attached hereto and by this reference incorporated herein. The City finds and determines that condemnation such interests may be required;

WHEREAS, if a water supply project requires the acquisition of multiple tracts to construct facilities connecting one location to another location, Subsection 2206.053(f) of the Government Code authorizes the City to adopt a single resolution to delegate the authority to initiate condemnation proceedings for the acquisitions to the chief administrative official of the City and Subsection 2206.053(g) allows the City to identify the general route of the Project, rather than specific parcels to be acquired;

WHEREAS, in order to effectuate the Project, it will be necessary and convenient that the employees, agents, and/or representatives of the City to lay out the Project and acquire the necessary easements upon, over, under and across affected properties for the purpose of construction, reconstruction, operation, and maintenance of utility infrastructure improvements, and appurtenances thereto, and for the use of any excavated materials from the affected properties for use in construction of such infrastructure improvements;

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WHEREAS, it may be necessary to hire engineers, surveyors, appraisers, attorneys, title companies, architects, or other persons or companies to effect the acquisition of the necessary easements for the Project;

WHEREAS, in order to acquire the necessary easements, it will be or has been necessary for the City's employees, agents, and/or representatives, to enter upon the affected properties in the general area of the Project for the purposes of surveying and establishing said land titles and to determine adequate compensation for the easements, to conduct tests, and to negotiate with the owners thereof for the purchase of the easements; and,

WHEREAS, it is necessary to set out procedures for the establishment and approval of just compensation for easements to be acquired for the Project;

Now, THEREFORE, be it RESOLVED by the City Council of the City of Georgetown, Texas:

1. That in order to promote the public health, safety, and welfare, public convenience and necessity requires the acquisition of easements across, under, along, on, upon, and over real property located between the planned South Lake Water Treatment Plant and the Santa Rita Ranch development for the purposes of laying out, opening, constructing, reconstructing, maintaining, widening, extending, and operating the Project in Williamson County, Texas, including utility and access improvements, and/or other public uses and purposes as permitted by law.
2. That the City's employees, agents, and/or representatives are hereby authorized to:
 - a. Lay out the exact location of the easements needed from the properties along the ultimate route of the Project;
 - b. Hire such engineers, surveyors, appraisers, title companies, architects, and other persons or companies needed to effect the laying out of the facilities for the Project, the establishment and acquisition of the required right-of-way, and the construction of permanent infrastructure improvements, and appurtenances thereto;
 - c. Enter upon any property necessary for the purpose of surveying and establishing the title, in order to determine adequate compensation for the rights being acquired, and to conduct tests;
 - d. Negotiate with the owner(s) of any such properties for the purchase thereof;
 - e. To purchase any necessary easement rights on, over, under and across the affected properties, and execute all documents necessary to acquire such

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easements, all subject to the City Council's express approval of the specific, negotiated terms of the acquisition;

- f. Initiate eminent domain proceedings against the owner(s), lienholders, and any owners of any other interests in the property to be acquired to obtain the necessary title(s) for the property in the event the owner(s) fail(s) to accept a bona fide offer to purchase the property; and
- g. Take whatever further actions are deemed appropriate to economically effect the establishment of the Project and appurtenances thereto.

- 3. That all previous acts and proceedings done or initiated by the City's employees, agents, and/or representatives for the establishment of the Project, including the negotiation for and/or acquisition of any necessary property rights on, over, under, through, in, and across the affected properties are hereby authorized, ratified, approved, confirmed, and validated.

IT IS THEREFORE ORDERED that the authority to initiate condemnation proceedings for any easement necessary for the Project is hereby delegated to the City Manager, and the ultimate acquisition of said easements by eminent domain is hereby authorized by a single order for any affected properties, and this first vote by the City Council applies to all of the properties ultimately identified.

IT IS FURTHER ORDERED that the City Attorney is hereby authorized to proceed to condemnation of any easement necessary for the Project, if necessary, and directed to transmit or cause to be transmitted this request of the City to legal counsel to file or cause to be filed against all owners, lienholders, and any owners of any other interests in the affected properties, proceedings in condemnation to acquire in the name of and on behalf of the City, easement estates in, over, across, under, and through the affected properties, or such lesser estates or property interests as determined necessary, save and except oil, gas, and sulfur, as provided by law.

- 4. The Mayor is hereby authorized to sign this resolution and the City Secretary to attest thereto on behalf of the City of Georgetown. This resolution shall be effective immediately upon adoption.

RESOLVED by the City Council of the City of Georgetown this ____ day of _____, 2022.

ATTEST:

THE CITY OF GEORGETOWN:

Robyn Densmore, City Secretary

By: _____
Josh Schroeder, Mayor

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APPROVED AS TO FORM:

Skye Masson, City Attorney

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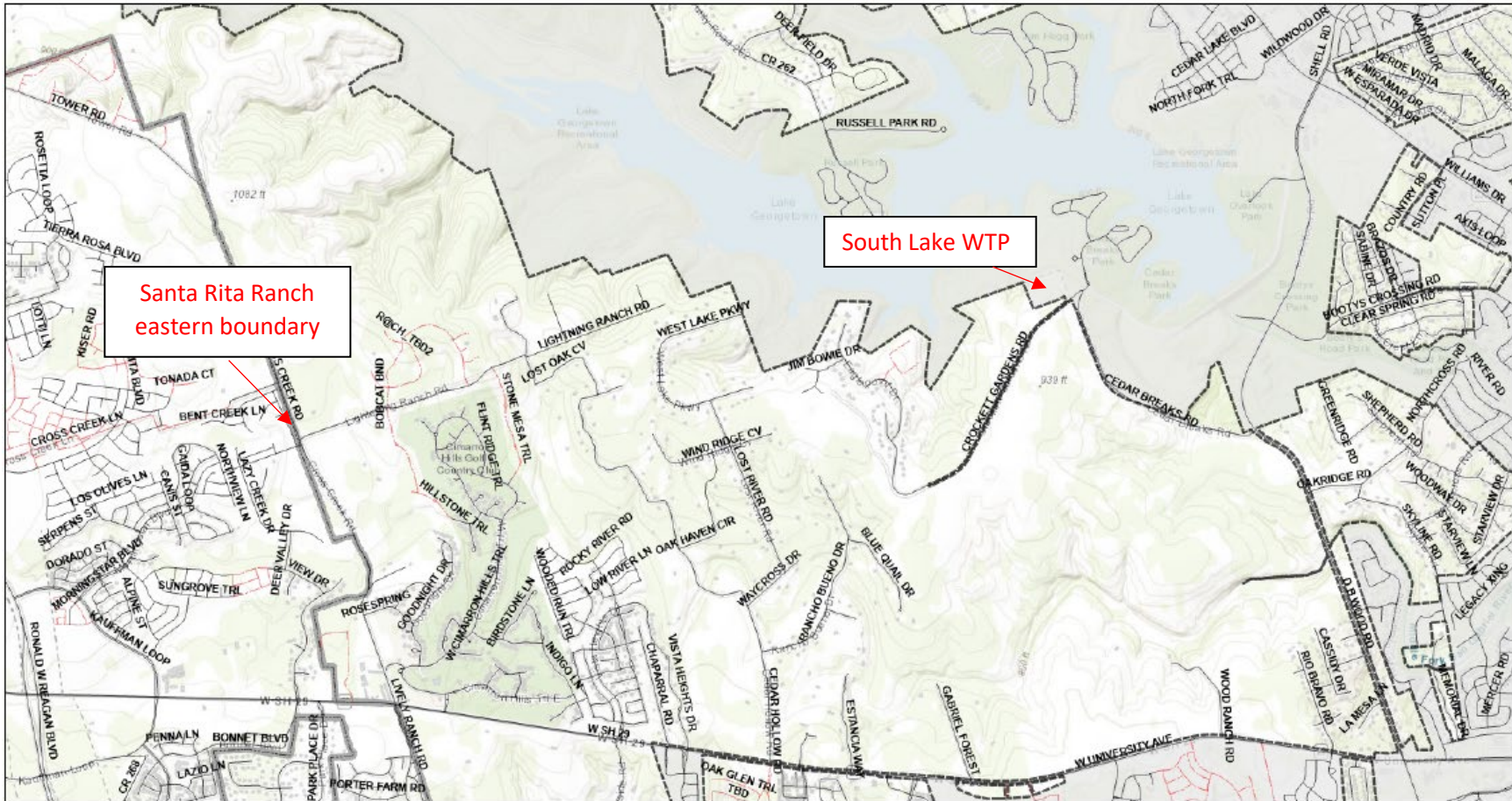
Date adopted: _____

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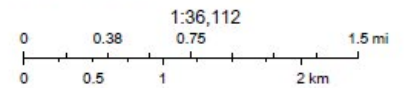
EXHIBIT A

South Lake TTM



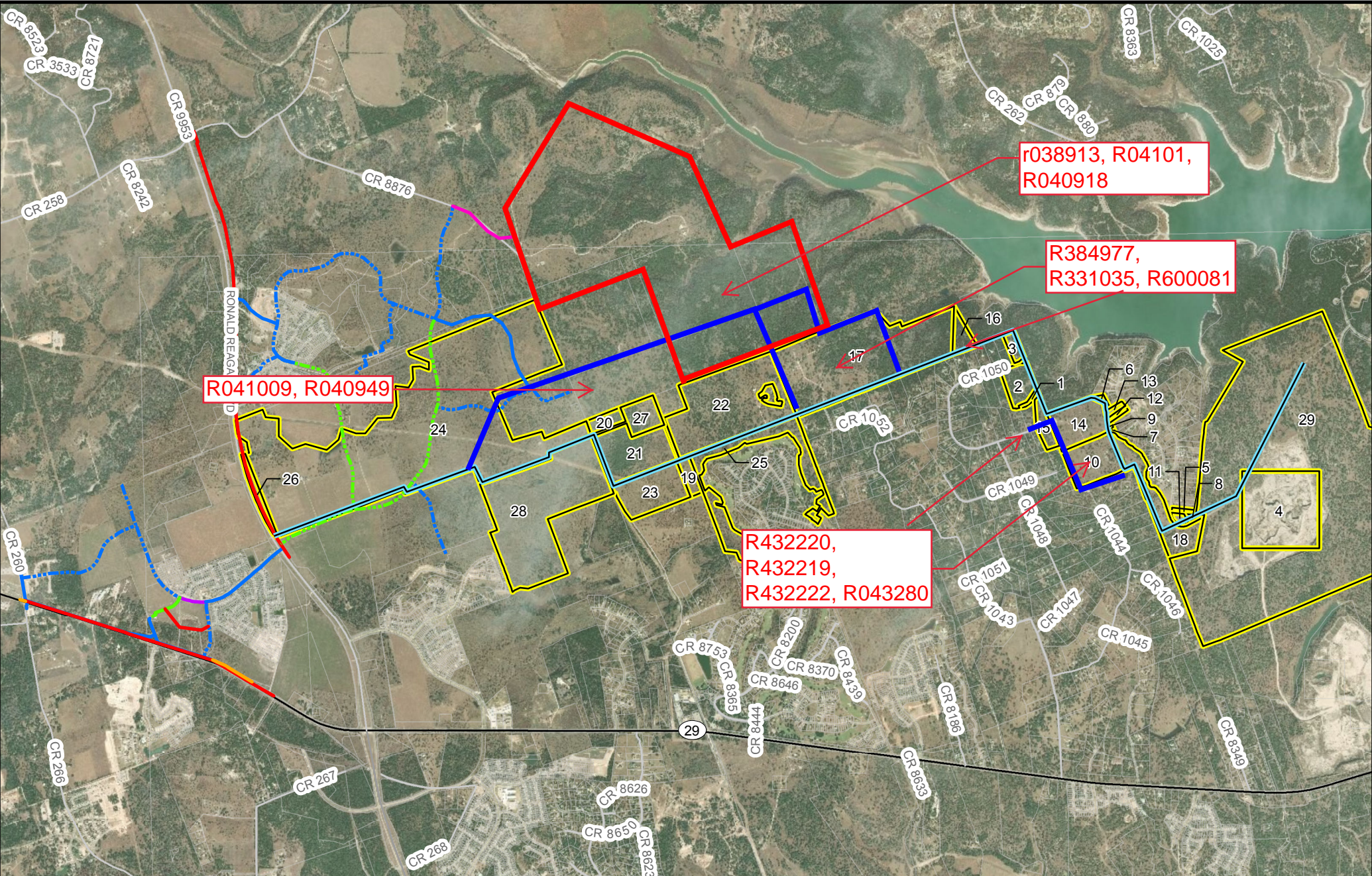
9/7/2022, 9:09:07 AM

-  Georgetown ETJ
-  Georgetown City Limits-Zoomed Out
- Streets
-  OPEN
-  Not Active



County of Williamson, Texas Parks & Wildlife, Esri, HERE, Garmin, GeoTechnologies, Inc., USGS, METI/ NASA, EPA, USDA

EXHIBIT B



R038913, R04101,
R040918

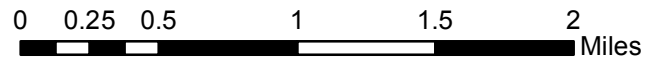
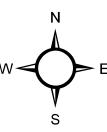
R384977,
R331035, R600081

R041009, R040949

R432220,
R432219,
R432222, R043280

Legend

- Proposed Pipeline
- Affected Landowner Parcel
- Santa Rita Pipes**
- 36in
- 30in
- 24in
- 18in
- 12in
- 10in
- - - 12in Proposed
- - - 18in Proposed
- - - 24in Proposed



Lake Georgetown Proposed Pipeline
City of Georgetown, Texas

