



RESOLUTION

RESOLUTION # 2017 _____

A RESOLUTION OF THE BOARD OF DIRECTORS DEEMING NECESSITY AND AUTHORIZING ACQUISITION OF PROPERTY, INCLUDING EXERCISING THE POWER OF EMINENT DOMAIN, FOR CONSTRUCTION OF WATER PIPELINE RELOCATIONS FOR THE TXDOT FM 720 WIDENING PROJECT, WHICH PIPELINES ARE PART OF THE REGIONAL TREATED WATER SYSTEM.

WHEREAS, the Upper Trinity Regional Water District is proceeding with plans for water pipeline relocations for the TxDOT widening of FM 720 in order to realign and relocate existing water pipelines to accommodate the highway widening; and

WHEREAS, the District needs to acquire property for the installation, construction, maintenance and completion of the said Pipeline Relocations Project, which acquisition may require the exercise of the District's power of eminent domain; and

WHEREAS, the District has the power of eminent domain as enacted in Chapter 1053 Acts of the 71st Legislature, Reg. Session 1989, as amended by S.B. 835, Sec. 2, Subsec. (c), Sec.1 - 77th Leg., and when necessary the District may exercise its power of eminent domain to fulfill its responsibilities for regional treated water service; and

WHEREAS, the public health and welfare create an urgent need for timely completion of the proposed pipeline realignments and relocations.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE UPPER TRINITY REGIONAL WATER DISTRICT:

SECTION 1. That all matters stated in the Preamble are found to be true and correct and are hereby incorporated into the body of this Resolution as if copied in their entirety.

SECTION 2. That the Board of Directors of Upper Trinity Regional Water District has determined that to permit construction and implementation of the planned TxDOT FM 720 Widening Water Pipeline Relocations Project it is necessary, urgent, and appropriate to acquire through negotiation (where possible), and if necessary, exercise the power of eminent domain to obtain the necessary land, easements, rights-of-way and other property rights as are deemed necessary to provide such services to the public, in accordance with the general alignment and locations indicated approximately on the right-of-way map attached as (EXHIBIT "A").

SECTION 3. That if the Power of Eminent Domain is exercised, the firm of Kelsey, Kelsey and Hickey, the District's attorneys, are authorized to institute all necessary and proper legal proceedings for the condemnation of said property interests; and, it is not necessary for the law firm to seek further authority from the Board of Directors to initiate and maintain such condemnation proceedings. Thomas E. Taylor, Executive Director, shall have general authority to engage the services of said law firm and oversee the process, procedure, and any settlements.

SECTION 4. That the District's attorneys are hereby authorized, with concurrence by the Executive Director, to retain the services of such expert witnesses as deemed necessary to make proper presentation of any condemnation matter.

SECTION 5. That this Resolution shall become effective immediately upon its passage.

DULY PASSED AND APPROVED THIS 5th DAY OF OCTOBER 2017.

Recommended:

Thomas E. Taylor, Executive Director

Executed:

Kevin Mercer, President

Attest:

Mike Fairfield, Secretary

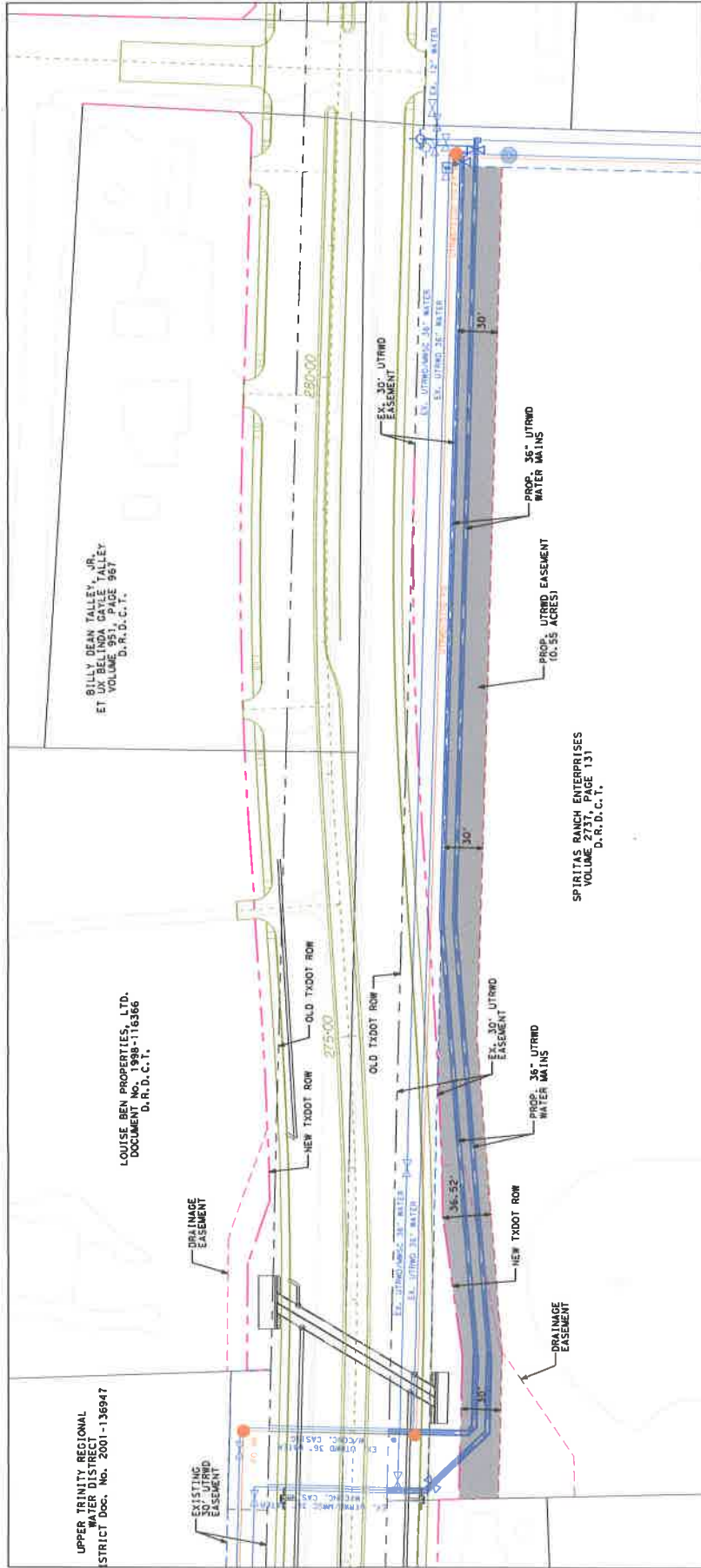
Attachments: Exhibit



EXHIBIT A

Alignment to be attached





UPPER TRINITY REGIONAL
WATER DISTRICT
DISTRICT Doc. No. 2001-136947

LOUISE BEN PROPERTIES, LTD.
DOCUMENT No. 1988-116366
D. R. D. C. T.

BILLY DEAN TALLEY, JR.
ET AL
VOLUME 991 PAGE 967
D. R. D. C. T.

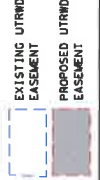
SPIRITAS RANCH ENTERPRISES
VOLUME 991 PAGE 131
D. R. D. C. T.

PRELIMINARY
PLAN

THIS DOCUMENT HAS BEEN PREPARED FOR THE REGIONAL WATER DISTRICT OF UPPER TRINITY, TEXAS. THE DISTRICT OFFICE IS LOCATED AT 1100 W. 10TH STREET, SUITE 100, FORT WORTH, TEXAS 76102. THE DISTRICT OFFICE PHONE NUMBER IS 817-335-1237. FAX NUMBER IS 817-335-1238. THE DISTRICT WEBSITE IS WWW.UTRD.COM. THE DISTRICT OFFICE HOURS ARE 8:00 AM TO 5:00 PM, MONDAY THROUGH FRIDAY. THE DISTRICT OFFICE IS CLOSED ON SATURDAY, SUNDAY, AND PUBLIC HOLIDAYS.

FIRM REGISTRATION NO. 1987-1987

LEGEND



EASEMENT EXHIBIT

UPPER TRINITY
REGIONAL WATER DISTRICT

HUITZOLIARS

DESIGN	DRAWN	APPR.	SCALE	DATE	PROJ. NO.	NO.
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