

# **NORTH TEXAS MUNICIPAL WATER DISTRICT**

## **RESOLUTION NO. 25-63**

### **A RESOLUTION AUTHORIZING THE USE OF EMINENT DOMAIN TO ACQUIRE PROPERTY FOR THE SHILOH SYSTEM GROUND STORAGE TANK, PROJECT NO. 101-0472-17, AND DELEGATING AUTHORITY TO INITIATE CONDEMNATION PROCEEDINGS TO THE NTMWD EXECUTIVE DIRECTOR**

**WHEREAS**, the NTMWD Board of Directors previously authorized a property acquisition program for the Shiloh System Ground Storage Tank, Project No. 101-0472-17 (Project) with a budget of \$1,423,500, by Administrative Memorandum No. 5417 and Resolution No. 19-32; and,

**WHEREAS**, issues arose that eliminated the site for consideration and a new site was selected and presented to the Real Estate Committee in March 2021; and,

**WHEREAS**, the NTMWD Board of Directors amended the property acquisition program, authorizing the acquisition of the new site and additional funding of \$1,600,000, by Administrative Memorandum No. 23-5953 and Resolution No. 23-35, resulting in a total budget of \$3,023,500; and,

**WHEREAS**, the Shiloh Ground Storage Tank must connect to NTMWD's Plano West Side Pipeline; and,

**WHEREAS**, additional easement is needed to accommodate this work; and,

**WHEREAS**, it is necessary to proceed with the acquisition of permanent easement required for the construction, operation, and maintenance of the Project improvements; and,

**WHEREAS**, it may be necessary to acquire the property and easements required for the Project through the use of eminent domain in the event negotiations are unsuccessful; and,

**WHEREAS**, adequate funding exists for the Project at this time.

### **NOW, THEREFORE, THE BOARD OF DIRECTORS IN A REGULAR MEETING DETERMINES AND RESOLVES THAT:**

1. There is a public need for and that the public welfare and convenience are to be served by the construction of the improvements associated with the Shiloh System Ground Storage Tank, Project No. 101-0472-17 (Project) to serve the water needs of the District's member and customer cities.
2. It is in the best interest and is necessary to acquire the permanent easement necessary for the construction of the improvements for the Project at the general location as generally described in Exhibit "A" attached hereto, and incorporated by reference herein, to provide the area required for prosecution of the work, and operation, maintenance, repair, and other such purposes as may be required to provide for the continual and uninterrupted operation of the pipeline facilities.
3. The power to initiate eminent domain proceedings is hereby delegated to the Executive Director and she is hereby authorized to take all steps necessary to acquire the easements

for the Project; including the hiring of negotiators, appraisers, Title Company, and attorneys.

4. The Executive Director is authorized to employ the firm of Saunders, Walsh & Beard, Attorneys and Counselors, to represent the NTMWD in these land transactions, including filing of Petitions for Condemnation on properties when the Executive Director determines the property cannot be secured through negotiations and after issuance of a final offer letter in accordance therewith.

**THIS RESOLUTION ADOPTED BY THE NTMWD BOARD OF DIRECTORS IN A REGULAR MEETING ON DECEMBER 18, 2025, IN THE ADMINISTRATIVE OFFICES OF THE NTMWD, WYLIE, TEXAS.**

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**KEITH STEPHENS, Secretary**

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**DAVID HOLLIFIELD, President**

**(SEAL)**