

NORTH TEXAS MUNICIPAL WATER DISTRICT

RESOLUTION NO. 25-62

A RESOLUTION AUTHORIZING THE USE OF EMINENT DOMAIN TO ACQUIRE PROPERTY FOR THE TICKEY CREEK LIFT STATION, PROJECT NO. 501- 0638-24, AND DELEGATING AUTHORITY TO INITIATE CONDEMNATION PROCEEDINGS TO THE NTMWD EXECUTIVE DIRECTOR

WHEREAS, Tickey Creek Lift Station (LS), Project No. 501-0638-24 (Project), shall be constructed in conjunction with the Tickey Creek Force Main; and,

WHEREAS, the site for the Project has been identified; and,

WHEREAS, the site may require a shared access point for ingress and egress; and,

WHEREAS, it is necessary to proceed with the acquisition of property and easements required for the construction of the LS prior to submitting the Project's Final Design for approval; 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, funds in the requested amount of \$2,000,000 for the purchase of acreage needed for the project are to be made available from the Upper East Fork Interceptor System Construction Funds.

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

1. There is a public need for and the public welfare and convenience are to be served by the construction of the lift station associated with the Tickey Creek Lift Station, Project No. 501-0638-24, to serve the wastewater needs of the Districts member and customer cities.
2. It is in the best interest and is necessary to acquire those permanent easements and property necessary for the construction of the lift station for the Project as generally depicted on the map 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 facilities.
3. The Executive Director is hereby authorized to take all steps necessary to acquire the property for the Project, including the hiring of appraisers, Title Company, and attorneys.
4. The power to initiate eminent domain proceedings is hereby delegated to the Executive Director and he is hereby authorized to take all steps necessary to acquire the property and easements for the Project, including the hiring of negotiators, appraisers, Title Company, and attorneys.

5. 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.
6. A budget of \$2,000,000 is authorized for this land transaction.

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.

KEITH STEPHENS, Secretary

DAVID HOLLIFIELD, President

(SEAL)