

RESOLUTION DETERMINING NEED

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COLLEGE STATION, TEXAS, DETERMINING A PUBLIC NECESSITY TO ACQUIRE FEE SIMPLE INTEREST IN CERTAIN PROPERTY; GIVING NOTICE OF AN OFFICIAL DETERMINATION TO ACQUIRE FEE SIMPLE INTEREST IN PROPERTY FOR THE CITY CENTER PROJECT; ESTABLISHING PROCEDURES FOR THE ACQUISITION OF FEE SIMPLE INTEREST IN THE PROPERTY.

WHEREAS, it is necessary to establish procedures for determining the establishment and approval of just compensation for each of the parcels in which to acquire fee simple interest for the City Center Project; and

WHEREAS, there may be improvements located on some of the real property in which fee simple interest is acquired for this City Center Project, and such improvements may be required to be moved or demolished prior to the beginning of the Project;

NOW THEREFORE BE IT RESOLVED by the City Council of the City of College Station, Texas:

- PART 1: That the City Council of the City of College Station, Texas, hereby officially determines that there is a public necessity for the City Center Project and the public welfare and convenience will be served by the acquisition of fee simple interest in a 31.3 acre (more or less) tract or parcel of land out of a 95.42 acre tract as part of the City Center Project. Said 31.3 acre tract described in Exhibit "A", which is attached hereto and made a part hereof for all purposes. The purpose of the City Center Project is to provide support sites for the proposed City Hall and other municipal and government buildings; right-of-way for streets, transportation and utility corridors; and public open space and recreational areas.
- PART 2: That the City Manager is hereby authorized to contract, on behalf of the City of College Station, with a professional surveyor for surveying services, with a professional appraiser for the appraisal services, with a professional real estate agent to act as a land agent for the City and with attorneys for preparation of title opinions needed by the City from time to time in connection with acquisition of a fee simple interest in property for the City Center Project.
- PART 3: That the City's Land Agent or other staff appraiser is hereby authorized and directed to examine the independent appraisal reports as they are submitted to the City to determine whether said appraisal reports are supported by sufficient data. Based upon such examination of said appraisal reports, the Land Agent or other appraiser shall make a recommendation to the City Manager as to the establishment and approval of the amount of the just compensation for a fee simple interest in said parcels.
- PART 4: After consideration of said recommendation, the City Manager shall establish and approve the amount determined for acquisition of a fee simple interest in the parcels.

- PART 5: Upon establishment and approval by the City Manager of the amount of just compensation for the acquisition of a fee simple interest, the City's Land Agent is authorized to communicate a written offer to the owners of said parcels for the acquisition of a fee simple interest in said parcels at the full amount determined and established to be just compensation therefore and to negotiate with said owners on behalf of the City.
- PART 6: That the Mayor after approval by City Council or, if the purchase price is less than \$50,000.00, the City Manager is hereby authorized to execute all documents necessary to acquire a fee simple interest in each of the parcels needed for said City Hall Project, on behalf of the City of College Station.
- PART 7: That the City Manager be and is hereby authorized to sell any such surplus improvements, or order the demolition thereof, if any, located on the real property acquired in connection with this Project.
- PART 8: That this resolution shall take effect immediately from and after its passage.

ADOPTED this _____ day of _____, A.D. 2001.

APPROVED

LYNN McILHANEY, Mayor

ATTEST:

CONNIE HOOKS, City Secretary

APPROVED:



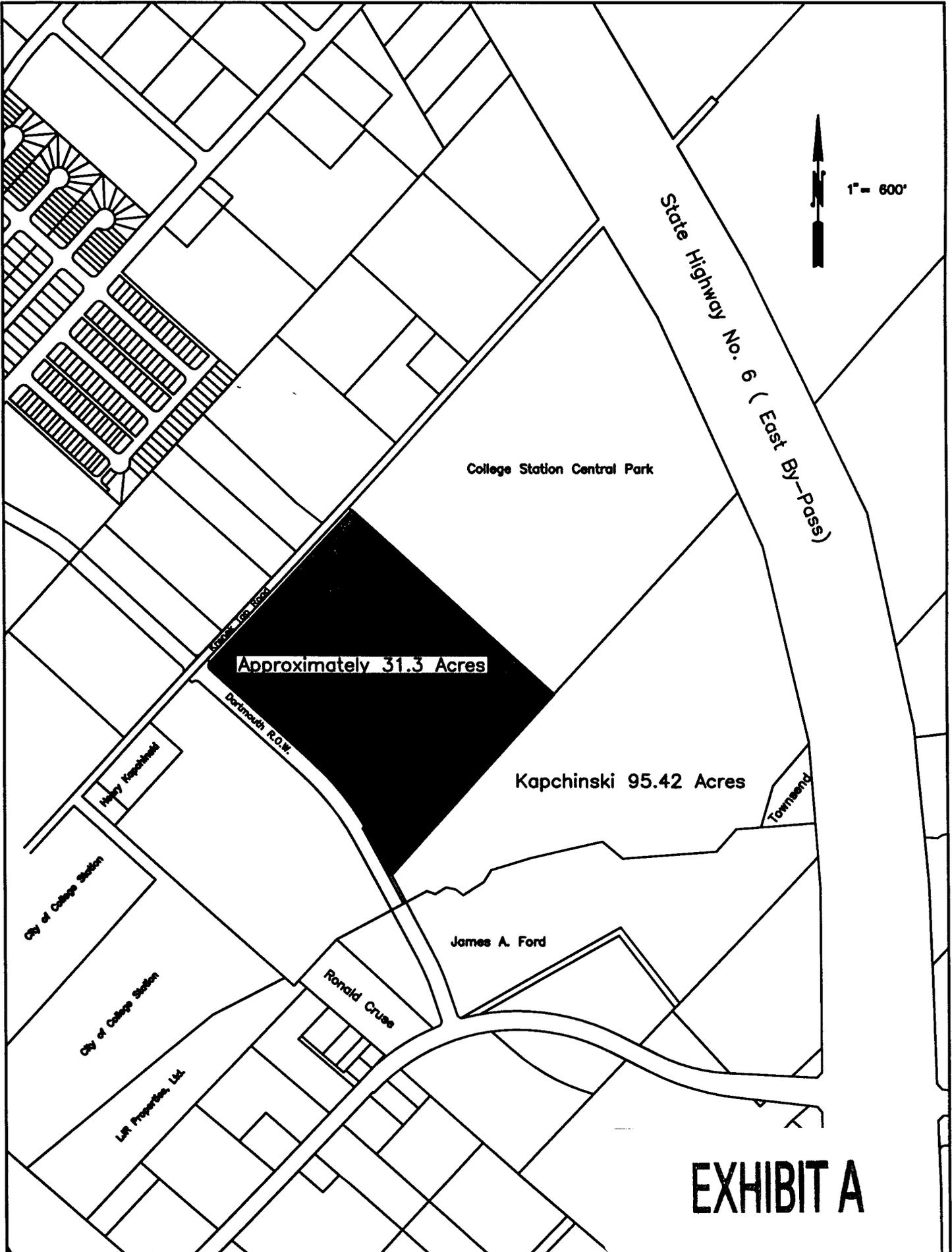
City Attorney

EXHIBIT "A"

All that certain 31.3 acre (more or less) tract or parcel of land lying and being situated in the Morgan Rector League, Abstract No. 46, in College Station, Brazos County, Texas, being part of that 95.42 acre tract described in "EXHIBIT B" of that Partition Deed recorded in Volume 650, Page 518 of the Official Records of Brazos County, Texas.

Said 31.3 acre tract being more particularly described by the accompanying map and to be further described at a later time by a metes and bounds description and on-the-ground survey performed by a Registered Professional Land Surveyor.

EXHIBIT A



Approximately 31.3 Acres

State Highway No. 6 (East By-Pass)

College Station Central Park

Kapchinski 95.42 Acres

James A. Ford

Ronald Cruise

Lift Properties, Ltd.

City of College Station

City of College Station

Henry Kapchinski

Townsend

1" = 600'

EXHIBIT A