



# UNITED INDEPENDENT SCHOOL DISTRICT AGENDA ACTION ITEM

**TOPIC** Discussion/Action to Authorize Superintendent to Submit Letter to the Comptroller of Public  
Accounts Retaining the District's Right to Eminent Domain as Provided by Chapter 21 of the Texas Property  
Code

**SUBMITTED BY:** Juan Cruz **OF:** School Attorney

**APPROVED FOR TRANSMITTAL TO SCHOOL BOARD:** \_\_\_\_\_

**DATE ASSIGNED FOR BOARD CONSIDERATION:** \_\_\_\_\_ December 14, 2011

**RECOMMENDATION:**

It is recommended that the Board of Trustees Discuss and take Action to Authorize Superintendent to Submit Letter to the Comptroller of Public Accounts Retaining the District's Right to Eminent Domain as Provided by Chapter 21 of the Texas Property Code.

**RATIONALE:**

**BUDGETARY INFORMATION**

**BOARD POLICY REFERENCE AND COMPLIANCE**



## Required Documentation of Eminent Domain Authority in Texas

**What action must be taken:** Per Senate Bill 18 enacted by the 82nd Legislature, all public and private entities authorized to exercise the power of eminent domain in Texas are **required to submit a letter to the Comptroller of Public Accounts detailing their legal authority to exercise this power. The letter must be sent by certified mail, return receipt mail not later than December 31, 2012.** (Per the bill, the authority of an entity to exercise the power of eminent domain expires on September 1, 2013, unless the letter has been submitted by the deadline.)

**About this form:** This form is designed to guide entities in submitting the required information on eminent domain authority. Once the fields have been completed, the form can be printed and mailed via certified mail to the address provided to meet the requirements of the bill.

### Entity Information

- Full, legal name of entity: United Independent School District
- Alternate name of entity (if any): United ISD
- Primary address: Street or P.O. Box 201 Lindenwood Drive  
City, State, Zip Code Laredo, TX 78045
- Primary phone number (with area code): (956) 473-6201
- Entity contact: First name Roberto J. Last name Santos  
Phone number (with area code): (956) 473-6219 E-mail address: rsantos@uisd.net
- Alternate contact: First name Eduardo Last name Zuniga  
Phone number (with area code): (956) 473-6474 E-mail address: eddiez@uisd.net

### Eminent Domain Authority

- Does your entity have eminent domain authority in Texas? ☒ Yes ☐ No
- If "yes" to question 7, please identify all of the applicable provisions of state law that grant eminent domain authority to this entity. Please cite as Title of Code or Article, Section Number/Name (for example, Texas Government Code, Section 43.136 or Article 7849, Auxiliary Water Laws).

United Independent School District is an entity with authority to exercise the power of eminent domain because it is an independent school district created in accordance with the laws of Texas. Specifically, the Texas Education Code states:

An independent school district may, by the exercise of the right of eminent domain, acquire the fee simple title to real property on which to construct school buildings or for any other public use necessary for the district.

Texas Education Code Section 11.155 (a).

- Please indicate the first year in which this entity exercised eminent domain authority (if known): 1983

**DISCLAIMER:** Chapter 2206, Subchapter C, Government Code (as added by Senate Bill 18, 82nd Regular Session) requires the Comptroller of Public Account to collect information and report to the Legislature all entities in the state of Texas that have the authority to exercise the power of eminent domain. Entities that provide information to the Comptroller represent and warrant that the information is accurate and complete to the best of their knowledge. **Entities that provide information acknowledge that it is their responsibility to submit a letter by certified mail, return receipt requested to the Comptroller's office, indicating that the Entity is authorized to exercise eminent domain authority and to identify each law that grants such authority.** The Entity further acknowledges that the Comptroller's office is not responsible to submit said letter, nor is it responsible for the Entity's failure to submit said letter as required by law, and that such failure may cause the entity's power of eminent domain to expire on September 1, 2013. The Entity also acknowledges that the Comptroller of Public Accounts is a state agency subject to Chapter 552 of the Texas Gov't Code (the "Texas Public Information Act") and court interpretations thereof, and that the information submitted to this office may be subject to disclosure to the public under Section 552.101, et seq., of the Code.

Under Ch. 559, Government Code, you are entitled to review, request, and correct information we have on file about you, with limited exceptions in accordance with Ch. 552, Government Code. To request information for review or to request error correction, contact us at the address on this form or sb18compliance@cpa.state.tx.us.

By signing, I agree that the information is true and correct.

Mail this form via **certified mail** to:

COMPTROLLER OF PUBLIC ACCOUNTS  
P.O. Box 13942  
Austin, Texas 78711

**sign  
here** ➔

Signature

Roberto J. Santos, Superintendent

Print Name/Title

December 14, 2011

Date

(956) 473-6201

Phone (area code and number)

For questions or additional information, please e-mail: [sb18compliance@cpa.state.tx.us](mailto:sb18compliance@cpa.state.tx.us) or go to: [www.window.texas.gov/sb18compliance](http://www.window.texas.gov/sb18compliance)