

***Collin County Community College District Board of Trustees***

2017-10-9

October 24, 2017

Resource: Neil Matkin  
District President

**AGENDA ITEM**

Approval of Resolution Authorizing Settlement of Eminent Domain Proceeding

**DISCUSSION:**

The Board of Trustees passed a resolution on May 23, 2017, authorizing the acquisition of an approximately 9.94 acre tract of land for the construction of instructional and support facilities in Wylie, Texas. At the time the resolution was passed, there was an appraisal obtained by the District in 2016 indicating the value of the property was \$1,340,000.00. The appraisal was updated for purposes of the eminent domain proceeding which was filed in accordance with the May 23, 2017, resolution with an updated appraisal indicating the fee simple interest of the property of \$1,493,741.00.

Subject to board approval, an agreement has been reached with the property owner to settle the eminent domain proceeding based on the fee simple value of \$1,493,741.00. Current funds exist for the acquisition of the property.

Approval of the resolution would effectuate settlement of the eminent domain proceeding, filed to acquire fee simple title to the property, Cause No. 005-02495-2017 pending in County Court at Law No. 5 in Collin County, Texas. Included in the action to approve the resolution:

- payment of \$1,493,741.00 and such additional funds as may be necessary to fund those reasonable costs and expenses necessary for the acquisition of the property along with payment of relocation and moving expenses to which the property owner is entitled to receive by law,
- authorization for the President of the District to take all actions including executing all documents necessary to effectuate settlement, and
- ratification of any prior action taken by the President or his designees in their efforts to acquire the property.

**DISTRICT PRESIDENT'S RECOMMENDATION:**

The District President recommends approval of the resolution authorizing settlement of eminent domain proceeding.

**SUGGESTED MOTION:**

"Mr. Chairman, I make a motion that the Board of Trustees of Collin County Community College District approves the resolution authorizing settlement of eminent domain proceeding regarding Cause No. 005-02495-2017 pending in the County Court at Law No. 5 in Collin County, Texas, related to an approximately 9.94 acre tract of land located in Wylie, Texas."