

## Legislation Text

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**File #:** 18-0564, **Version:** 2

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**Approval of a Resolution Consenting to the Exercise of the Power of Eminent Domain in the City of Lewisville by the Upper Trinity Regional Water District for the 72-Inch Waterline Project from the Tom Taylor Water Treatment Plant on Kealy Avenue in Lewisville TX to the Stone Hill Pump Station on Justin Road in Flower Mound TX.**

### **ADMINISTRATIVE COMMENTS:**

The Upper Trinity Regional Water District proposes to build a 72-inch water transmission main generally parallel to an existing 48-inch transmission main and the KCS Railroad line running from the Taylor Plant on Kealy Avenue to Stone Hill Pump Station in Flower Mound. The new main is to address existing and future capacity requirements to provide adequate service to UTRWD member cities. The existing main is within a 20-foot wide easement. Additional easement width plus temporary construction easements are necessary to build and ultimately access and maintain the new water main. The UTRWD board passed a resolution to allow the use of eminent domain to obtain easements for the new main if necessary. State law provides that the UTRWD may not exercise the power of eminent domain to acquire any property located in a municipality without the prior consent by resolution of the governing body of the municipality in whose jurisdiction the subject property is located. Thus, UTRWD has requested the City of Lewisville approve a resolution in support of allowing the UTRWD to use eminent domain within the Lewisville city limits.

### **RECOMMENDATION:**

That the City Council approve the resolution as set forth in the caption above.