



City Council A-Session

Item 11 – Real Estate Acquisition: District 9 Traffic & Mobility Improvements (Stone Oak Area)

April 3, 2025

Razi Hosseini, P.E., R.P.L.S., Director/City Engineer, Public Works Department

D9 Traffic & Mobility Improvements (Stone Oak Area)

Acquisition Details



- Ordinance authorizing the acquisition, through negotiation or condemnation, the following permanent right of way and temporary construction easements for District 9 Traffic & Mobility Improvements (Stone Oak Area), a 2022 Bond Program project.
 - Six (6) permanent right of way easements
 - Four (4) temporary construction easements
- Staff started acquisitions May 2024 and fair market value was determined by an independent appraisal.
- Pursuant to Texas Government Code Section 2206 and Texas Property Code Chapter 21, this item requires the City Council to initiate a motion authorizing the use of power of eminent domain, should it be needed.
- City will use every effort available to obtain the required land through good faith negotiations but may require eminent domain if negotiations are unsuccessful or for title remedy.

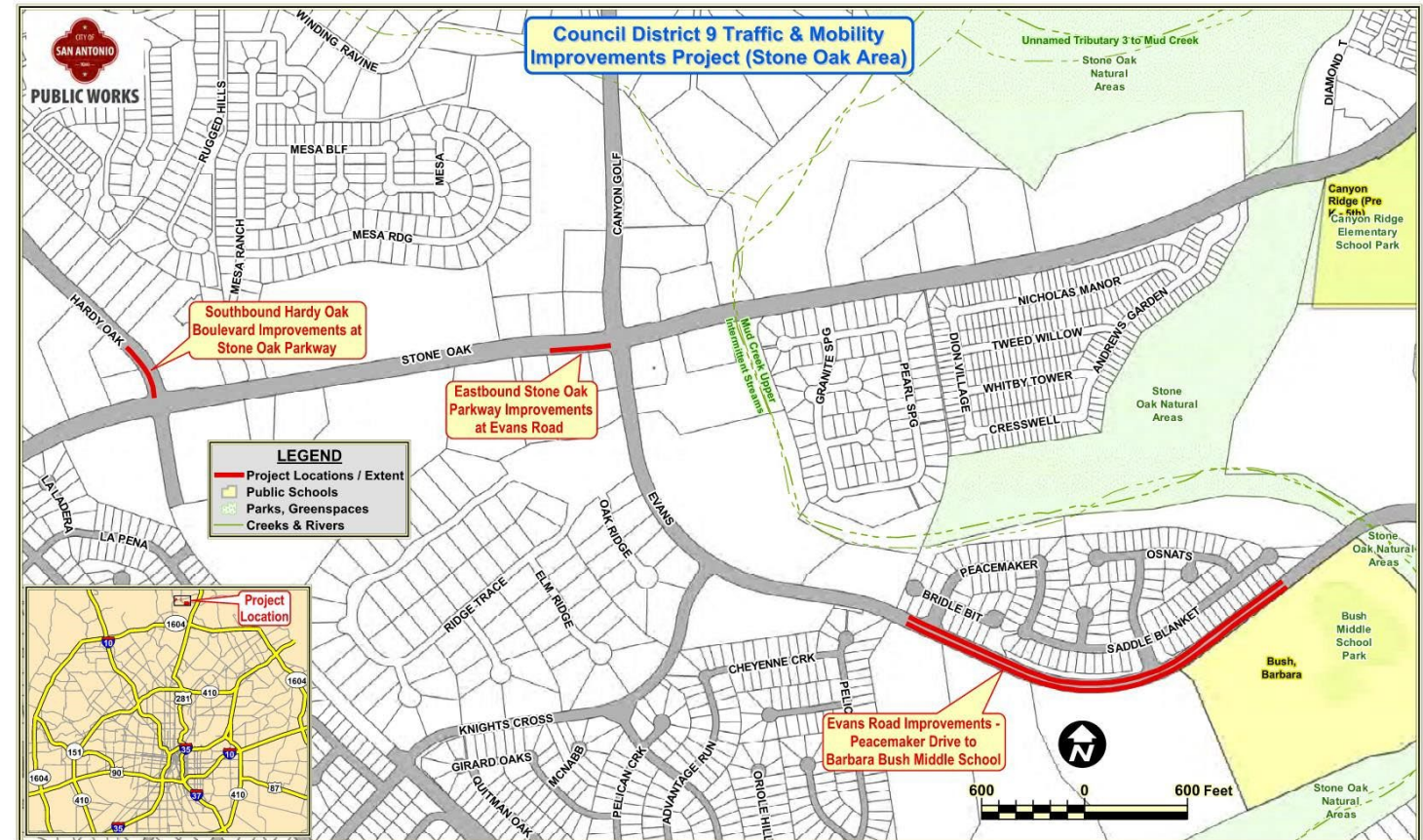


D9 Traffic & Mobility Improvements (Stone Oak Area)

Project Details



- 2022 Bond Program authorized \$5,000,000 to construct roadway improvements to include turn lane bays, new traffic signals and modifications to existing medians.
 - Right only turn bay from Hardy Oak onto Stone Oak Parkway
 - Right only turn bay from Stone Oak onto Evans Road
 - Operational improvements on Evans Road from Peacemaker to Barbara Bush Middle School to include a new traffic signal, new pedestrian signals and median modifications.
- Construction is anticipated to begin Fall 2025 and complete Winter 2027.

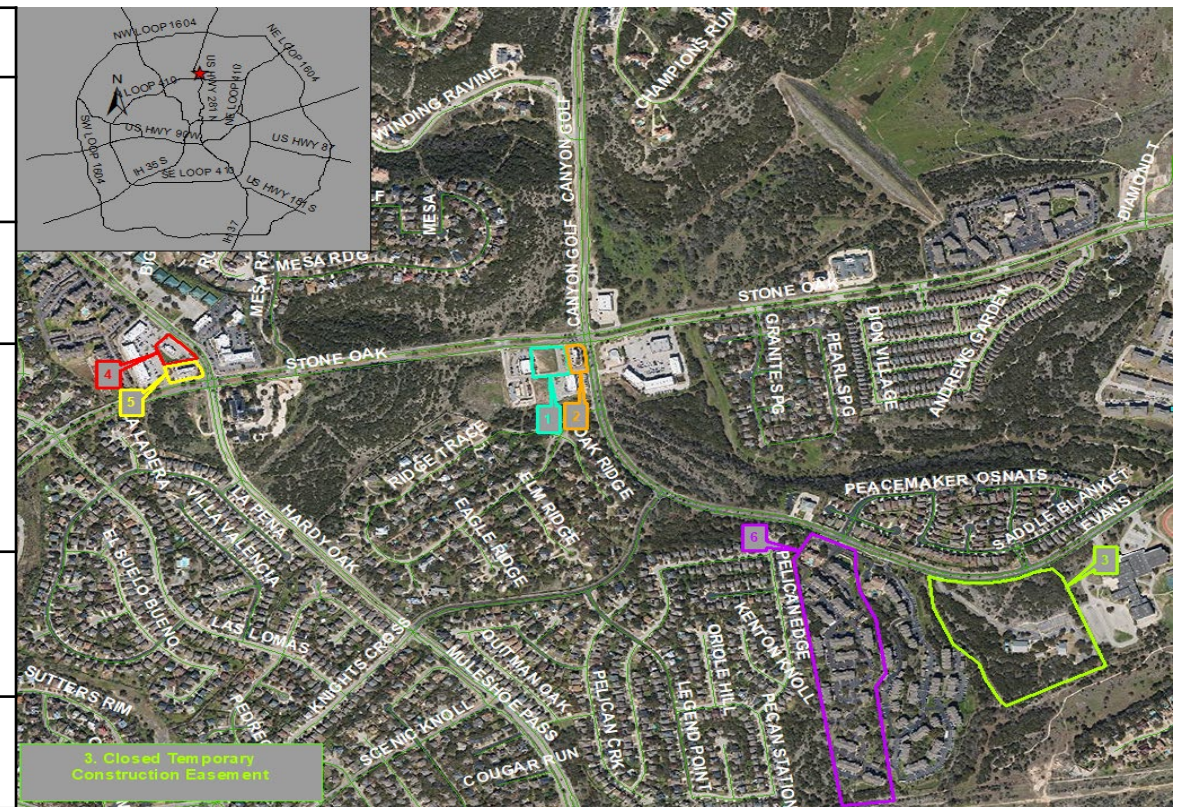


Real Estate Acquisition Request



- One (1) temporary construction easement for Parcel 3 has been acquired.
- Ten (10) acquisitions which include six (6) right of way easements & four (4) temporary construction easements for parcels 1, 2, & 4-6 are pending as shown below.

No.	Owner name	Parcel Request	Status
1	7-Eleven	1,308 sq ft right of way easement & one 2,138 sq ft temporary construction easement.	Purchase agreement executed, pending closing.
2	Digby Partners, LLC (Starbucks)	1,276 sq ft right of way easement & 849 sq ft temporary construction easement.	Initial and final offers mailed. Site visit conducted. Working with owner's legal representative.
4	Rafter SOHO, LLC (Kneaders Bakery)	1,181 sq ft right of way easement & one 483 sq ft temporary construction easement.	Initial and final offers mailed. Project manager is working w/design consultant to phase in temporary construction easement needs to minimize impact to parking.
5	McDonalds Real Estate Company	1,842 sq ft right of way easement & one 863 sq ft temporary construction easement.	McDonalds ordered an independent survey to identify items that will be impacted to provide impacts & estimates.
6	Mission Hills Apartments Holdings, LLC	Two right of way easements (170 sq ft & 50 sq ft)	Purchase agreement executed, pending closing.





Acquisition Process

- Staff often communicates with property owners over the phone or in person, in addition to the letters.
- Majority of acquisitions are successful without the need to exercise eminent domain.

General Acquisition Process	Eminent Domain Process
<div><div><div>1. Letter #1 Introduction Letter - Initial outreach to property owner with project information, City contact, and Texas Landowner’s Bill of Rights.</div><div>2. Letter #2 Initial offer is mailed with project information, City contact, and initial financial offer for property based on independent appraisal.</div><div>3. Letter #3 Final offer is mailed with project information, City contact, and final financial offer for property based on independent appraisal.</div></div><div>Successful negotiations result in an executed purchase agreement and payment to the owner.</div></div>	<div><div><div>1. City Ordinance authorizes eminent domain.</div><div>2. City Attorney’s Office (CAO) files petition to place the item on the court docket and records a <i>Lis Pendens</i> notice.</div><div>3. CAO sends certified letter to property owner that petition with the court has been filed.</div><div>4. CAO contacts property owner &/or representative and attempts to reach a settlement prior to court.</div><div>5. Court appoints three special commissioners.</div><div>6. Special commissioners set hearing date.</div><div>7. Commissioner’s Hearing takes place with ruling and final award. Either party can appeal the award.</div><div>8. City deposits commissioner’s award in the Court Registry.</div><div>9. City has possession and use to construct.</div></div></div>

City Council A-Session



PUBLIC WORKS

Item 11 – Real Estate Acquisition: District 9 Traffic & Mobility Improvements (Stone Oak Area)