

**CITY OF SEABROOK
RESOLUTION 2020-01**

AUTHORIZATION FOR ACQUISITION OF PROPERTY FOR CITY PROJECT

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEABROOK, AUTHORIZING PROCEEDING FOR THE ACQUISITION OF CERTAIN REAL PROPERTY FOR FURTHER CITY DEVELOPMENT (THE “PROJECT”), CONSISTING OF .80 ACRES OF LAND LOCATED AT 2505 REPSDORPH, SEABROOK, TEXAS, LOTS ONE (1) THROUGH SIX (6), RESERVE A, B, AND C, BLOCK ONE (1), TOWER VIEW, SEABROOK, HARRIS COUNTY, TEXAS (THE “PROPERTY”); DETERMINING THE PUBLIC NECESSITY AND JUST COMPENSATION FOR THE PROPERTY FOR SUCH PROJECT; AUTHORIZING THE MAYOR OR CITY MANAGER TO EXECUTE THE CONTRACT FOR THE ACQUISITION OF SUCH PROPERTY, (“CONTRACT”) ATTACHED HERETO AS EXHIBIT “A”; AUTHORIZING THE CITY MANAGER TO TAKE ALL STEPS NECESSARY TO ACQUIRE THE PROPERTY, AS DETERMINED AFTER COMPLETION OF DUE DILIGENCE, INCLUDING IDENTIFYING FUNDS FOR PAYMENT AND PURCHASE, INCLUDING ALL CLOSING COSTS IN ACCORDANCE WITH THE CONTRACT, AND IN COMPLIANCE WITH THE CHARTER AND ALL APPLICABLE LAWS AND REGULATIONS; AND FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

WHEREAS, the City Council of the City of Seabrook has considered the need for the acquisition of certain property within the City of Seabrook to further address development and city services (the “Project”) and has identified an initial tract of land for such purposes at 2505 Repsdorph, Seabrook, Texas, Lots One (1) Through Six (6), Reserve A, B, and C, Block One (1), Tower View, Seabrook, Harris County, Texas (the “Property”); and

WHEREAS, the City Council of the City of Seabrook finds and determines it is necessary that the acquisition of the Property, should be done expeditiously for the Project by authorizing the City Manager of the City of Seabrook, Texas to expend funds to obtain a legal survey, as necessary, obtain a title commitment, and such other due diligence determined necessary to establish funding for the property rights to be acquired for the Property; and

WHEREAS, the City Council by and through its City Manager has accordingly negotiated with Property owner, Seaside Village Townhomes Association, through its duly authorized representative(s), for agreement of the just compensation for the Property, to be purchased in the current fiscal year for \$240,000 as referenced in the “Commercial Contract – Unimproved Property Agreement”, (the “Contract”), attached hereto as Exhibit A, and incorporated by reference; and

WHEREAS, the City Council of the City of Seabrook finds and determines that the sum of Two hundred thousand four hundred dollars (\$240,000) is just compensation and the fair market value for the Property; and

WHEREAS, the City Council for the City of Seabrook finds and determines the said Property is necessary for improvements for the Project and that unless the property rights in the Property are now obtained, it will be a substantial detriment and disadvantage to the City of Seabrook; and

WHEREAS, it is the specific intent of the City Council of the City of Seabrook to comply with all legal requirements for acquisition and funding of the subject Property for the Project; and

WHEREAS, the City Council of the City of Seabrook finds and determines that providing authorization to the City Manager to immediately expend funds for acquisition for the Project, and associated due diligence and closing costs, is now appropriate; and that the Property should be acquired by Warranty Deed, to be recorded in the Real Property Records of Harris County, Texas:

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SEABROOK, TEXAS:

Section 1. That the City Council of Seabrook hereby officially finds and determines that the meeting at which this Resolution is passed is open to the public as required by law and that public notice of the time, place, and purpose of said meeting was given as required. The facts and matters set forth in the preamble of this Resolution are hereby found to be true and correct.

Section 2. A public purpose and necessity exists for the City of Seabrook to acquire the Property for the Project for the City of Seabrook for the purposes expressed herein, pursuant to the terms in the attached Contract, Exhibit "A", incorporated by reference.

Section 3. The Mayor is hereby authorized to execute the Contract for the acquisition of the Property for the sum of \$240,000 and additional appropriate closing costs, and that the Mayor or City Manager is authorized to execute any documentation necessary to accept, acquire, document, facilitate, and record the conveyance of the subject Property as provided for in the Contract, together with the appropriate expenditure of funds for associated due diligence and closing costs. The City Manager is immediately authorized and directed to expend such additional funds for payment of the earnest money fee, and related expenses including a legal survey, as necessary, and such other due diligence determined necessary for the Project.

Section 4. The City Council finds that proceeding to acquire the Property, identified in the attached Contract, as provided herein, is in compliance with the requisites of law, is not to confer, or is a pretext to confer, a private benefit on a particular party, and is not primarily for economic benefit, but that such Property is necessary for a needed municipal project.

PASSED AND APPROVED this 7TH day of January, 2020.

Thomas G Kolupski
Mayor

ATTEST:

Robin Lenio, TRMC
City Secretary

APPROVED AS TO FORM:

Steven L. Weathered
City Attorney