

The City has identified a certain parcel of land for acquisition necessary for the construction of a bridge improvement over the Union Pacific Railroad (“UPRR”) right-of-way at Millsdale Road. The parcel consists of approximately +/- 11.20 acres and is situated along the sought side of Millsdale Road spanning between the UPRR right-of-way to the east and Brandon Road to the west (“Subject Property”).

Through the Department of Public Works, a consultant, Santacruz Land Acquisitions, was engaged to assist with negotiation with the record owner for the acquisition of the Subject Property to support the project. On behalf of the City, Santacruz Land Acquisitions conducted title investigation as well as procured an appraisal of the Subject Property by a licensed and certified general real estate appraiser, Mr. David White. Pursuant to Mr. White’s appraisal report, the total compensation for the proposed acquisition of the Subject Property was determined to be \$146,000.00 as of June 28, 2023. On August 18, 2023, a formal written offer to purchase the Subject Property was issued to the record owner therein offering a purchase price and total compensation in the amount of \$146,000.00 based upon the appraised value stated within the appraisal report prepared by Mr. White. Subsequent to issuance of the City’s written offer to purchase, dialog and information exchange occurred with representatives of the record owner. However, the City has been unable to reach an agreement with the record owners of the parcel for purchase of the Subject Property.

Given the inability to reach a negotiated agreement with the record owner for purchase of the Subject Property, Santacruz Land Acquisitions has referred the matter to the City for commencement of condemnation proceedings for acquisition of the Subject Property via exercise of the City’s eminent domain authority. At this time, Ordinance ____ seeks authorization for the Corporation Counsel to initiate condemnation proceedings and direct exercise of the City’s eminent domain authority for acquisition of the Subject Property.