

DATE: *September 3, 2020*
TO: Mayor and City Council
FROM: Assistant City Manager
SUBJECT: 20-011 Alton Tucker/Level Creek Extension Project
ROW Acquisition / Eminent Domain
1196 Level Creek Road



After attempts to acquire the subject property through negotiation to complete a roadway realignment and transportation use, the only remaining option for the city to consider is the use of eminent domain. The resolution presented will provide the basis for the action and background of the city's legal authority in these matters.

The city engaged a MAI certified appraiser to arrive at the fair market value of the property of \$105,000 for the approximately 0.068 acres of property and building. The fair market amount, along with previous offers, were not accepted during negotiation. The public road and intersection improvements will necessitate the complete removal of the building and sidewalk and streetscape improvements will consume the remaining remnant of the parcel. The details of the transportation use is provided in the attached right-of-way plan.

Staff is recommending approval of the resolution.