



MEMORANDUM

To: Mayor and City Council
From: Andy Quittner, City Attorney
Date: August 10, 2016
Subject: North Heideke Street Project – Condemnation Resolution

In order to construct the North Heideke Street Project the City needs to purchase right of way and aerial easements. Most of the easements and right-of-way have been obtained; however, at this time an agreement has not been reached with the Patels, one of the property owners. Given that the City is ready to begin construction, completing this purchase in a timely manner is important.

The City has been negotiating with Mr. Patel regarding his North Heideke property, but has not been able to reach a reasonable agreement. Further, to date, Mr. Patel has not executed a right-of-entry that would allow construction to begin while negotiations are finalized. City staff have reached a point where further delay may be detrimental to the project.

Although City Council has previously passed a resolution authorizing purchase and condemnation of land, the proposed resolution specifically names Mr. Patel's property. It is also hoped that this action will help move the negotiations to a faster close (or at least get Mr. Patel to sign the right of entry).