

RESOLUTION NO. 2025-10-27

A RESOLUTION OF THE BOARD OF TRUSTEES OF EAGLE MOUNTAIN-SAGINAW INDEPENDENT SCHOOL DISTRICT ("DISTRICT"), TARRANT COUNTY, TEXAS, DECLARING A PUBLIC NECESSITY TO ACQUIRE REAL PROPERTY INTERESTS TO USE AND IMPROVE LAND FOR SCHOOL PURPOSES ON PROPERTY LOCATED ALONG THE EAST SIDE OF OPAL STREET BETWEEN W. GREEN STREET AND W. McLERoy BLVD.; AUTHORIZING THE DISTRICT'S SUPERINTENDENT TO OBTAIN NECESSARY SURVEYS AND APPRAISALS, NEGOTIATE WITH LANDOWNERS, AND MAKE OFFERS ON BEHALF OF THE DISTRICT TO ACQUIRE SAID REAL PROPERTY INTERESTS; HIRE THIRD PART CONTRACTORS TO MAKE SUCH OFFERS; AUTHORIZING THE INSTITUTION AND PROSECUTION OF CONDEMNATION PROCEEDINGS TO ACQUIRE SAID REAL PROPERTY INTERESTS; PROVIDING FOR OTHER MATTERS IN CONNECTION THERETO; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Eagle Mountain-Saginaw Independent School District (the "District") is an independent school district of the State of Texas, authorized to "acquire the fee simple title to real property on which to construct school buildings or for any other public use necessary for the district" pursuant to Texas Education Code § 11.155;

WHEREAS, the District must acquire real property interests, including fee title to certain tracts or parcels of land in Tarrant County, to use and improve for school purposes, including but not limited to roads, property located along the east side of Opal Street, between W. Green Street and W. McLeroy Boulevard, as depicted and described in Exhibit A attached hereto and incorporated for all purposes herein by reference, and the public welfare and convenience will be served by the acquisitions of such real property interests (the "Project");

WHEREAS, the District's Board of Trustees finds that it is necessary to establish procedures for the determination and approval of just compensation for acquiring the real property interests needed across the properties depicted and described in Exhibit A.

WHEREAS, the District's Board of Trustees finds that it is necessary for the District's Superintendent or other designee or agent to contract for and on behalf of the District with professional surveyors, appraisers, and other necessary consultants to obtain surveys, appraisals, and other necessary documents related to the properties, negotiate with and make written offers for the acquisition of said real property interests on behalf of the District from the owners of the properties depicted and described in Exhibit A, including but not limited to determining the amount of just compensation to be paid to said landowners and directing District staff and consultants to obtain information and documents in connection therewith; and

WHEREAS, the Board of Trustees finds that it is necessary and in the best interest of the District and the public to authorize eminent domain proceedings under the applicable laws of the State of Texas for the acquisition of real property interests, including fee title to certain tracts or

parcels of land depicted and described in Exhibit A, when the District's Superintendent, staff, and consultants are unable to acquire such property interests or cause same to be acquired by purchase.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE AUBREY INDEPENDENT SCHOOL DISTRICT THAT:

SECTION 1. Public Necessity. the District's Board of Trustees (the "Board") hereby officially determines that there is a public necessity for the acquisition of real property interests, including fee title as described herein to the parcels of land depicted and described in Exhibit A (the "Interests"), and it is the District's intention to acquire the Interests for the Project, which the public welfare and convenience will be served by such acquisition.

SECTION 2. Authorization. For and on behalf of the District, the District's Superintendent or other designee or agent is authorized to contract on behalf of the District with professional surveyors, appraisers, and other necessary consultants to obtain surveys, appraisals, and other necessary documents related to the properties, negotiate with and make written offers on behalf of the District to the landowner herein for the acquisition of the Interests, including but not limited to determining the amount of just compensation to be paid to landowners and directing District staff and consultants to obtain information and documents in connection therewith.

SECTION 3. Authorization of Proceedings. In the event that Interests for the Project cannot be acquired by good faith negotiation or caused to be acquired by purchase for an agreed fair market value as authorized herein, District officers with advice of counsel for the District, and based upon the public necessity of the Project, are hereby authorized to cause to be filed and prosecuted, in the name of, for, and on behalf of the District, proceedings in eminent domain for the acquisition of such interest, estates, easements, and/or right-of-way and such other rights as may be necessary or required for the Project; and any and all acts of the officers, employees, and consultants of the District pursuant to, and in accordance with or in the furtherance of, the purpose of the approvals, authorizations, findings, determinations and directions heretofore given by the Board of Trustees, as hereinabove recited, or pursuant to, in accordance with or in furtherance of, the authorizations herein granted for the purposes of this resolution, whether taken prior or subsequent to the adoption of this resolution, are hereby ratified, confirmed, approved and adopted.

SECTION 4. Effective Date. This Resolution shall take effect immediately from and after its passage.

PASSED and ADOPTED by the Board of Trustees of the Eagle Mountain-Saginaw Independent School District, Tarrant County, Texas, on the 27th day of October, 2025.

[Seal]



_____, President, Board
of Trustees
Marilyn Tolbert

ATTEST:

APPROVED AS TO FORM:



_____, Secretary
J. Paige Ring

Attorney

Exhibit A

