



## CITY COUNCIL MEMORANDUM

**FROM:** The Office of the City Manager **DATE:** January 12, 2026

**SUBJECT:** Consider the use of eminent domain to condemn property and consider Resolution No. 2026-008 authorizing the filing of eminent domain proceedings for the purpose of obtaining the necessary real property for construction and maintenance of drainage improvements for the Meadow Lakes BFC-7 Drainage Improvements Project and for other public purposes permitted by law.

**PRESENTER:** Caroline Waggoner, Assistant City Manager

### **SUMMARY:**

Council is being asked to authorize eminent domain for the acquisition of one parcel needed for the Meadow Lakes BFC-7 Drainage Improvements Project.

### **GENERAL DESCRIPTION:**

The Meadow Lakes BFC-7 Drainage Improvements Project is a continuation of the City's efforts to address flooding concerns identified in a 2020 flood study. That study revealed that approximately 18 properties are impacted by the regulatory floodplain, with at least five dwellings now located within the updated Special Flood Hazard Area (SFHA). Inclusion in the SFHA can affect property owners through increased flood insurance requirements and potential development restrictions.

The primary objective of the BFC-7 project is to enhance the capacity of the existing storm drain system and reduce the extent of the floodplain encroachment on developed properties. To achieve this, the City's engineering consultant, Halff Associates, designed improvements along portions of Meadow Lakes Drive and Pebble Court. These improvements include significantly enlarging the underground storm drain infrastructure to better manage stormwater flows. While most of the construction will occur within public rights-of-way, the downstream alignment of the new pipe crosses between two residential properties on Pebble Court. Although both properties currently contain existing drainage easements, the increased pipe size requires a larger permanent easement. Additionally, temporary construction easements are needed to facilitate installation and related activities.

The City successfully acquired the necessary temporary easement from the property at 4901 Pebble Court earlier this year. However, the adjacent property at 4900 Pebble Court presents a unique challenge. The property owner passed away in January 2025, and the estate remains un-probated with eight known heirs. While the heirs are aware of the City's intent to acquire the easements, the lack of formal heirship determination complicates the transaction and compromises its legal validity.



To proceed with the project and meet statutory requirements, staff recommends that the City Council authorize the use of eminent domain to acquire the necessary easements at 4900 Pebble Court. This action will ensure the timely completion of the drainage improvements and protect residents from future flood risks. The motion on this item will need to state that eminent domain is being authorized for a stated public purpose and also to describe the property being acquired in detail sufficient for a deed.

**RECOMMENDATION:**

Authorize the use of eminent domain using the motion as provided below:

I move that the City Council of the City of North Richland Hills authorize the use of the power of eminent domain to acquire the real property described in Resolution No. 2026-008, as presented, specifically:

- 0.0127 acre (555 sq. ft) permanent drainage easement on property described in Document Number D211294110 in the Official Records, Tarrant County, Texas, being more specifically described in Exhibit A to Resolution No. 2026-008; and
- 0.0229 acre (997 sq. ft.) temporary construction easement on property described in Document Number D211294110 in the Official Records, Tarrant County, Texas, being more specifically described in Exhibit B to Resolution No. 2026-008,

for the public use in construction and maintenance of drainage improvements for Meadow Lakes BFC-7 Drainage Improvements Project, and I further move to adopt Resolution No. 2026-008, as presented.