

MAY 8 2020

**REQUEST FOR AGENDA PLACEMENT FORM**

Submission Deadline - Tuesday, 12:00 PM before Court Dates

**Approved**

**SUBMITTED BY:** Rexann Knowles

**TODAY'S DATE:** 04/20/2020

**DEPARTMENT:** COUNTY JUDGE

**SIGNATURE OF DEPARTMENT HEAD:** X \_\_\_\_\_

**REQUESTED AGENDA DATE:**

April 27, 2020

**SPECIFIC AGENDA WORDING:** Consideration of TxCDBG Contract No. 7218250 Acquisition Documents. A605 Notice of Agreement to Donate, A607 Just Compensation Determination Statement, A608 Owner Release Form for Donated Property, A609 Written Purchase Offer for Properties owned by Doris Lee and Authorization for the County Judge to sign.  
(Property cost sheets were not consistent with the legal description of the land. Added a .432 acre tract)

**PERSON(S) TO PRESENT ITEM:** Rexann Knowles

**SUPPORT MATERIAL:** (Must enclose supporting documentation)

**TIME:** 2 minutes

**ACTION ITEM:** X

**WORKSHOP:** \_\_\_\_\_

(Anticipated number of minutes needed to discuss item) **CONSENT:** \_\_\_\_\_

**EXECUTIVE:** \_\_\_\_\_

**STAFF NOTICE:**

**COUNTY ATTORNEY:** XX

**IT DEPARTMENT:** \_\_\_\_\_

**AUDITOR:** XX

**PURCHASING DEPARTMENT:** \_\_\_\_\_

**PERSONNEL:** \_\_\_\_\_

**PUBLIC WORKS:** \_\_\_\_\_

**BUDGET COORDINATOR:** \_\_\_\_\_

**OTHER:** \_\_\_\_\_

\*\*\*\*\*This Section to be Completed by County Judge's Office\*\*\*\*\*

ASSIGNED AGENDA DATE: \_\_\_\_\_

REQUEST RECEIVED BY COUNTY JUDGE'S OFFICE \_\_\_\_\_

COURT MEMBER APPROVAL \_\_\_\_\_

Date \_\_\_\_\_

**NOTICE OF AGREEMENT TO DONATE**

*Note: Two Copies of this form should be sent to the owner along with the Grant Recipient's Notice; the owner should return one signed copy to the Grant Recipient.*

Grant Recipient: Johnson County Special Utility District TxCDBG No. 7218250  
Name of Owner: Doris Lee Date Notified: April 6, 2020  
Physical Address: 7520 E Fm 4, Grandview, TX 76050

I understand that the Johnson County Special Utility District needs to acquire a portion of my property for water improvements in connection with the Texas Community Development Block Grant Program. The needed portion of my property is described as follows:

A 20' WIDE PERMANENT EASEMENT containing a 0.388 and a .432 ACRE TRACT OF LAND LOCATED IN THE S. S. SMITH SURVEY, ABSTRACT NO. 759, JOHNSON COUNTY, TEXAS, AND BEING PART OF A CALLED 50.2 ACRE TRACT OF LAND DESCRIBED AS "TRACT 2" IN A DEED RECORDED IN INSTRUMENT NO. 2019-13001, O.P.R.J.C.T..

I understand this portion of my property will be used to improve the Johnson County Special Utility District's water system facilities through a permanent easement agreement.

The Johnson County Special Utility District has estimated the value of this (permanent easement/right-of-way) at two thousand five hundred fifty four dollars and seven cents, \$ 2554.07.

PLEASE INITIAL THE BOX BESIDE THE STATEMENT THAT REPRESENTS YOUR RESPONSE TO THIS INVITATION TO DONATE PROPERTY:

- I wish to donate the property described above to the Johnson County Special Utility District and I wish to waive my right to an appraisal.
- I wish to donate the property described above but I wish to have this property appraised at Market Value before donating. I understand that I may claim a deduction on the estimated value of that easement for federal income tax purposes. I further understand that before I may use the donated property as a tax deduction, I should seek advice from a qualified financial or tax consultant for absolute determination, or the Internal Revenue Service regarding the current rules for property valuation

I understand the Johnson County Special Utility District will contact me to arrange for the transfer of this property and will pay any and all ordinary costs associated with this transaction.

- I **do not** wish to donate. [The Johnson County Special Utility District will contact you soon concerning a written offer to purchase based on either an appraisal or a statement of justification.]

Owner \_\_\_\_\_ Owner \_\_\_\_\_  
Date \_\_\_\_\_ Date \_\_\_\_\_

**Just Compensation Determination Statement**

*Note: This Statement should be modified as conditions require and may accompany the initial letter of interest.*

TxCDBG Contract No. 7218250

Property Owner: Doris Lee

The Johnson County Special Utility District proposes to purchase a portion of your property at 7520 E Fm 4, Grandview, TX 76050 as follows: *A 20' WIDE PERMANENT EASEMENT containing a 0.388 and a .432 ACRE TRACT OF LAND LOCATED IN THE S. S. SMITH SURVEY, ABSTRACT NO. 759, JOHNSON COUNTY, TEXAS, AND BEING PART OF A CALLED 50.2 ACRE TRACT OF LAND DESCRIBED AS "TRACT 2" IN A DEED RECORDED IN INSTRUMENT NO. 2019-13001, O.P.R.J.C.T...*

The Johnson County Special Utility District has established just compensation for this property as \$2554.07. The Johnson County Special Utility District hereby offers the just compensation amount of \$2554.07 for the purchase of your property.

The amount offered is the full amount that Johnson County Special Utility District believes to be just compensation for the subject property or interest therein is not less than the market value of the described property. The basis for determining the value is shown below.

**Just Compensation:** \$ 2554.07 (an amount representing just compensation for the real property to be acquired the amount considered to be the market value of the portion to be acquired as part of the whole property -plus- if applicable, an amount representing damages and benefits to the remaining portion of the property)

**Basis for Determination:** price per acre(\$3,114.42) multiplied by the permanent easement acreage (.820 acres)

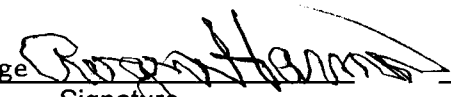
**Donation:**

A donation of the property is an option that may be exercised and this statement may serve as documentation in support of the valuation for tax purposes.

**Costs:**

The Johnson County Special Utility District will be responsible for any costs or fees relating to this acquisition.

Roger Harmon County Judge  
Name of local official;

  
Signature

May 8, 2020  
date

**Owner Release Form for Donated Property**

TxCDBG GRANT RECIPIENT Johnson County TxCDBG CONTRACT NO. 7218250

Doris Lee

I understand that the County of Johnson, Texas, as a part of the Texas Community Development Block Grant Program, requires the following interest in a permanent and temporary easement in property I own, described as follows:

A 20' WIDE PERMANENT EASEMENT containing a 0.388 and a .432 ACRE TRACT OF LAND LOCATED IN THE S. S. SMITH SURVEY, ABSTRACT NO. 759, JOHNSON COUNTY, TEXAS, AND BEING PART OF A CALLED 50.2 ACRE TRACT OF LAND DESCRIBED AS "TRACT 2" IN A DEED RECORDED IN INSTRUMENT NO. 2019-13001, O.P.R.J.C.T..

for water line improvements,

and that, Federal law (the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, P.L. 91-646) provides that no owner shall be required to surrender possession of real property or any interest therein before the acquiring Grant Recipient offers to buy such property or interest for an amount not less than the Grant Recipient's approved market appraisal of the value of the property.

**INSERT OPTION #1 OR #2 (specify which) -- #2**

**#1- Having been informed of my right to just compensation for any interest in my real property which is acquired by the Johnson County Special Utility District, I freely agree to give and convey to the Johnson County Special Utility District, the interest described above in my property and to decline any right to compensation or payment of the market value for aforementioned property or interest therein, and *do hereby release the City/County from said obligations.***

**- OR -**

**#2- Having been informed of my right to just compensation for any interest in my real property which is acquired by the Johnson County Special Utility District, I freely agree to give and convey to the Johnson County Special Utility District, the interest described above in my property and to decline any right to compensation or payment of the market value for aforementioned property or interest therein, and *do hereby release the city/county from an appraisal of my real property.***

\_\_\_\_\_  
(Signature of Owner)

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
(Signature of Witness)

\_\_\_\_\_  
(Date)

  
(Signature of City/County Official)

May 8, 2020  
(Date)

**Written Purchase Offer  
(For Involuntary Acquisition)**

**Note:** The purchase offer marks the formal initiation of negotiations to acquire property, triggering eligibility for relocation assistance.

Date April 28, 2020

Dear Doris Lee

Our previous letter informed you of the Johnson County Special Utility District's need to acquire the following (utility easement or rights-of-way or fee simple interest) on your property at 7520 E Fm 4, Grandview, TX 76050 and further described as:

*A 20' WIDE PERMANENT EASEMENT containing a 0.388 and a .432 ACRE TRACT OF LAND LOCATED IN THE S. S. SMITH SURVEY, ABSTRACT NO. 759, JOHNSON COUNTY, TEXAS, AND BEING PART OF A CALLED 50.2 ACRE TRACT OF LAND DESCRIBED AS "TRACT 2" IN A DEED RECORDED IN INSTRUMENT NO. 2019-13001, O.P.R.J.C.T.. for the burial of an 8-inch water line.*

**INSERT OPTIONAL #1 OR #2 -- #1**

**--- #1- (acquisition of property valued at \$10,000 or less)---**

The Johnson County Special Utility District has established just compensation for this (property or property interest) as \$2554.07. The Johnson County Special Utility District hereby offers the just compensation amount of \$2554.07 for the purchase of your property. By this action, the Johnson County Special Utility District initiates negotiations to acquire this property. Attached to this offer is a *Just Compensation Determination Statement*.

**-- OR --**


**--- #2- (acquisition of property valued at more than \$10,000) ---**

The (property or property interest) was appraised by a certified appraiser and a qualified reviewing appraiser. Based on the appraisal report and review appraiser's certification, the (City/County) established just compensation for this (property or property interest) to be \$\_\_\_\_\_. The (City/County) hereby offers the just compensation amount of \$\_\_\_\_\_ for the purchase of your property. By this action, the (City/County) initiates negotiations to acquire this property. Attached is a copy of the appraisal report.

We believe this offer is fair and equitable, and we urge your favorable consideration and acceptance. If this offer meets with your approval, or if you have any questions, please contact Dana Collier immediately at (817)760-5226. The Johnson County Special Utility District staff has prepared a sales contract and Act of Sale to assist in finalizing the acquisition. Any relocation benefits to which you may be entitled will be in addition to the acquisition price of your property.

Thank you very much for your cooperation and favorable consideration of this offer.

Sincerely,

  
Local Official

Enclosure: Just Compensation Determination Statement (with #1 insert above)  
OR Appraisal Report (with #2 insert above)