



MEETING OF NOVEMBER 7, 2023

TO: Mayor Jordan and City Council
THRU:
FROM: Blake Pennington, Assistant City Attorney
DATE:
SUBJECT: **Amend Res. 230-23 and Authorize Condemnation of Land Owned by Parti Investments, LLC**

RECOMMENDATION:

The City Attorney's office recommends City Council approval of a Resolution amending Resolution 230-23 and authorizing the City Attorney to seek condemnation and an order of possession of certain land owned by Parti Investments, LLC necessary for the Highway 71B Corridor Project.

BACKGROUND:

The School Avenue and College Avenue Corridors serve as the major north-south route through the central part of the City and are major commercial and retail destination. Maintaining and improving the corridors will allow them to continue to serve mobility needs, and to continue to develop/redevelop as commercial corridors.

Improvements to these corridors will include striping, widening and/or narrowing of the roadway, utility relocation (including burial of overhead utilities), sidewalk/trail installation, accommodations for transit systems, elimination or reconfiguration of driveways, additional traffic signals, medians, plazas, art installations, lighting, wayfinding, protected intersections, parking, and other corridor improvements identified in the design process.

In December of 2021, the City Council approved a design contract with Garver, LLC for the detailed design of this project. The design is complete and the project is planned to be bid after the land acquisition is complete.

DISCUSSION:

On October 17, 2023, the City Council approved Resolution 230-23 authorizing the City Attorney to file a condemnation suit to acquire this property and deposit the amount of \$10,878.75 as just compensation for the taking. Since that time, we have received an appraisal indicating the value of the land is \$14,953.00. Therefore, we are asking that Resolution 230-23 be amended to align the amount of just compensation with the appraisal.

On October 18, Mayor Jordan sent a letter to ARDOT asking for an exception to made to allow the College Avenue Corridor Project to be bid without having possession of this final portion of right of way. The City has been awarded \$4.8 million in federal aid funds for the construction of this project and the funding was

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supposed to be obligated by August of 2023. The City is in jeopardy of losing this funding if the project is not bid in a timely manner. Thus, we are requesting that the item be added to the agenda at the October 31 agenda session for the November 7 meeting.

BUDGET/STAFF IMPACT:

These improvements are funded by the 2019 Transportation Bond Program. The amount of just compensation due to the property owner is \$14,953.00.

ATTACHMENTS: City Attorney Memo - Parti Investments Condemnation