

**RESOLUTION 25-241**

**A RESOLUTION TO AUTHORIZE THE CITY ATTORNEY TO ENTER INTO  
CONDEMNATION PROCEEDINGS FOR RIGHT-OF-WAY ACQUISITION**

**WHEREAS**, the City of Spring Hill has committed to road improvements at the intersection of Buckner Lane and Port Royal Road for the safety of the citizens and to improve traffic flow and congestion; and

**WHEREAS**, the improvement project requires permanent right-of-way and temporary construction easements from tract owners that border the area of improvement; and

**WHEREAS**, the by-laws of a tract owned by a homeowners association decrees that two-thirds (2/3) of the residents must agree to the sale of right-of-way, of which they have not been able to obtain; and

**WHEREAS**, City staff recommends proceeding with condemnation to obtain the necessary right-of-way to advance the infrastructure improvement project.

**NOW THEREFORE BE IT RESOLVED**, the City of Spring Hill Board of Mayor and Aldermen authorize the City Attorney to enter into condemnation proceedings for right-of-way acquisition for a tract adjacent to the Buckner Lane and Port Royal Road intersection improvement project.

Passed and adopted by the Spring Hill Board of Mayor and Aldermen this 20<sup>th</sup> day of October, 2025.

  
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Matt Fitterer, Mayor

ATTEST:

  
\_\_\_\_\_  
April Goad, City Recorder

LEGAL FORM APPROVED:

  
\_\_\_\_\_  
Patrick Carter, City Attorney

## STAFF MEMORANDUM

**TO:** Board of Mayor and Aldermen  
**FROM:** Missy Stahl, CIP Director  
**DATE:** 10/20/2025  
**SUBJECT:** Resolution 25-241 – To authorize the City Attorney to enter into condemnation proceedings for ROW acquisition

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### RECOMMENDATION:

Staff recommends approval of Resolution 25-241 to authorize the City Attorney to enter into condemnation proceedings for ROW acquisition.

### BACKGROUND:

The City of Spring Hill has committed to improving the intersection of Buckner Lane and Port Royal Road. To accommodate the improvements, the City will need to acquire land from the tracts that border the intersection, to include permanent right-of-way, temporary slope easements, temporary construction easements and permanent drainage easements. Tract owners will also be compensated for any tenant owned improvements that exist in these areas.

One tract, owned by a homeowners association, has by-laws in place that require a two-thirds (2/3) vote from all homeowners for any right-of-way transaction to be approved. Due to the amount of homes, the HOA board is unable to obtain this percentage of positive votes. The HOA is not disputing the compensation offered. Staff has conferred with the HOA's attorney and the City's attorney and the determination has been made by both parties to obtain the ROW through condemnation proceedings to avoid significant delays in the advancement of the infrastructure improvement project.

Due to the Privacy Act followed by the City during ROW negotiations, individual tract owners and their compensation cannot be publicly discussed prior to the transaction paperwork being filed with the County.

### FINANCIAL IMPACT:

The financial impact would be the amount offered for compensation and expensed from FY 26 budgeted funds.

### SUPPORTING DOCUMENTS:

N/A



City of Spring Hill | Department

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