

# A Resolution

NO. \_\_\_\_\_

## A RESOLUTION DETERMINING THE NECESSITY FOR ACQUIRING REAL PROPERTY AND AUTHORIZING ITS APPROPRIATION OR CONDEMNATION FOR PUBLIC USE

**WHEREAS**, the Fort Worth City Council on \_\_\_\_\_, 20\_\_\_\_, in M&C \_\_\_\_\_, ordered and decreed that a public necessity existed to acquire 0.1237 acres in temporary construction easements, and 0.1238 acres in permanent sewer easements from real property located 3500 & 3600 E. Loop 820 S in Fort Worth, Tarrant County, Texas Wuthrick, Ulrich Svy. Ab. 1693 Tract 2E1 & 2F3A Parkside East Block 6 Lot 1 as described in the exhibits attached to the above-referenced M&C; those exhibits are incorporated herein for all purposes (the “Property”);

**WHEREAS**, the Fort Worth City Council has determined that:

- the Property is needed for the Main 182 and Main 191 Emergency Repair Program (the “Project”);
- the land rights in the Property are needed for sewer improvements;
- public necessity required the acquisition by condemnation of the Property, located within the alignment of the Project;
- the use of the Property will be a public use; and
- the Real Estate Division of the Property Management Department is authorized to acquire by negotiation the Property needed for the Project.

**WHEREAS**, negotiations between the City of Fort Worth and the property owners, Christopher M. Garoosi Living Trust and Fort Rowlett-Land-JV, were unsuccessful due the inability to negotiate agreeable terms for the property interest being acquired by the City of Fort Worth; and

**WHEREAS**, on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, at a regular meeting of the Fort Worth City Council, upon Motion of Councilmember \_\_\_\_\_, to wit:

“I move that the Fort Worth City Council adopt the resolution authorizing use of the power of eminent domain to acquire a total of 0.1238 acres in permanent sewer easements and a total of 0.1237 acres for temporary construction easements from real property owned by Christopher M. Garoosi Living Trust and Fort Rowlett-Land JV. The property is needed for the construction of emergency sanitary sewer mains M-182 & M-191 to cross Interstate Highway 820; a public use that will provide needed sewer capacity. The properties are located at 3500 E. Loop 820 South in the Parkside East Addition, Block 6, Lot 1 and 3600 E. Loop 820 South in the Ulrich Wuthrick Survey, Abstract No. 1693, Tract 2E1 & 2F3A, Tarrant County, Texas. The property interest to be acquired is described by metes and bounds and depicted by survey exhibits attached to this Mayor and Council Communication.”

Seconded by \_\_\_\_\_, duly put and carried: RESOLUTION.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FORT WORTH, TEXAS THAT:**

The City of Fort Worth, Texas, is authorized to use the power of eminent domain to acquire the Property for the public use and inclusion in the Project; and

The City Attorney be and is hereby authorized and directed to file or cause to be filed, to spend all reasonable and necessary legal expenses, and to carry through to final judgment proceedings in eminent domain for the acquisition of the property interest listed above and attached to the M&C.

Adopted this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_.

ATTEST:

By: \_\_\_\_\_  
Jannette S. Goodall, City Secretary