

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 0.3058 acres in pedestrian access easement, and 0.3523 acres for a temporary construction easement from real property located at 3100 High River Road in the Payton R. Splane Survey, Abstract Number 1454, and being part of Lot 3R2, Block 2, and Lots 3R1 & 3R2, Block 2, Meeker Addition to the City of Fort Worth, Tarrant County, Texas, 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 Centreport Trail Phase 2 (the “Project”);
- the land rights in the Property are needed for new pedestrian trail 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 Property Division of the Property Management Department is authorized to acquire by negotiation the Property needed for the Project.

WHEREAS, the City of Fort Worth will acquire the needed property interests to obtain clear title; 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 0.3058 acres of pedestrian access easement, and 0.3523 acres for a temporary construction easement from real property owned by Comref Riverpark LLC. The property is needed for the Centreport Trail Phase 2 Project, a public use that will create pedestrian access. The property is located at 3100 High River Road in the Payton R. Splane Survey, Abstract Number 1454, and being part of Lot 3R2, Block 2, and Lots 3R1 & 3R2, Block 2, Meeker Addition to the City of Fort Worth, Tarrant County, Texas. The property interests to be acquired are 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: _____

Name: _____

Title: _____