

City of Fort Worth, Texas

# Mayor and Council Communication

**DATE:** 03/09/21

**M&C FILE NUMBER:** M&C 21-0172

**LOG NAME:** 12SETTLEMENT NORTHLAKE LAND SWAP AGREEMENTS

**SUBJECT**

(ETJ Adjacent to CD 7) Settlement of All Issues and Claims in 15-08170-367, *Town of Northlake v. City of Justin*, Challenging the 1997 and 2020 Fort Worth-Northlake Land Swap Agreements

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**RECOMMENDATION:**

It is recommended that the City Manager be authorized to enter into a settlement agreement with the Town of Northlake and the City of Justin as described below to settle all issues that are pending in Cause Number 15-08170-367, *Town of Northlake v. City of Justin*, pending in Denton County.

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**DISCUSSION:**

On October 20, 2020 (M&C 20-0740), Council authorized the City Attorney to intervene in the Northlake-Justin litigation and on November 19, 2020 Fort Worth filed its petition of intervention. The 1997 and 2020 Fort Worth-Northlake agreements are the subject of litigation between Northlake and Justin. The 2020 Fort Worth-Northlake agreement, approved by Council on April 7, 2020, was intended to reaffirm the cities' 1997 land-swap deal to facilitate the Texas Motor Speedway and to terminate a revenue-sharing provision of that agreement.

The parties have agreed to settle all issues in the litigation. Relevant to Fort Worth, under the agreement, property that was allocated to Northlake in the 1997 and 2020 agreements will be reallocated to Northlake or Justin as depicted on the attached map. The areas on the map shown as E, G, and H shall be allocated to Justin and the areas shown as A, B, C, D, F and I shall be allocated to Northlake. The parties agree to take necessary measures to effectuate the terms of the agreement, including, if necessary, disannexation.

A Form 1295 is not required because: This contract will be with a governmental entity, state agency or public institution of higher education: Town of Northlake and City of Justin

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**FISCAL INFORMATION / CERTIFICATION:**

The Director of Finance certifies that approval of this recommendation will have no material effect on City funds.

**Submitted for City Manager's Office by:** Dana Burghdoff 8018

**Originating Business Unit Head:** Sarah Fullenwider 7623

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