

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 0.139 acres in right-of-way easement and 0.127 acres for a temporary construction easement from real property located 2401 Golden Heights Road in Lot, Block 1, Harmon Senior Villas, 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 Golden Triangle Boulevard Project (City Project No. 101013) (the “Project”);
- the land rights in the Property are needed for new travel lanes, storm drainage improvements, sidewalks traffic signals and street lights as necessary;
- 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, negotiations between the City of Fort Worth and the property owner, Harmon Fund, LP, were unsuccessful due the inability to negotiate agreeable terms for the property interests 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 0.139 acres in right-of-way easement and 0.127 acres for a temporary construction easement from improved property owned by Harmon Fund, LP. The property is needed to construct public roadway improvements at the northwest corner of Golden Heights Road and Harmon Road for the Golden Triangle Boulevard project, a public use that will improve safety and traffic flow along Golden Triangle Boulevard where it transitions into Harmon Road. The land rights in the subject property are for new travel lanes, storm drainage improvements, sidewalks, traffic signals and streetlights

as necessary. The property is located at 2401 Golden Heights Road in Lot 1, Block 1, Harmon Senior Villas, 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: _____
Mary Kayser, City Secretary