

Mayor and Council Communication

DATE: 06/11/24

M&C FILE NUMBER: M&C 24-0493

LOG NAME: 21CPN 104345 P19-1, P19-2A BOMBER SPUR TRAIL

SUBJECT

(CD 3) Authorize the Acquisition of a Fee Simple Interest in Approximately 1.139 Acres Located at 7199 Calmont Avenue, Fort Worth, Tarrant County, Texas 76116 from Susan Polk Taylor Carr, Jim Taylor, and The Estate of Hugh A. Fitzsimons, Jr. in the Amount of \$105,000.00 and Pay Estimated Closing Costs in an Amount Up to \$10,000.00 for a Total of \$115,000.00 for the Trail Gap Bomber Spur Project

RECOMMENDATION:

It is recommended that the City Council:

1. Authorize the acquisition of a fee simple interest in approximately 1.139 acres of land owned by Susan Polk Taylor Carr, Jim Taylor, and the Estate of Hugh A. Fitzsimons, Jr. situated in the Hays Covington Survey, Abstract No. 256, City of Fort Worth, Tarrant County, Texas, and being all of a called 0.78 acre tract of land described as Tract No. 19, Parcel No. 1 conveyed as a right-of-way easement to the United States of America as recorded in Volume 1492, Page 343 of the Official Public Records of Tarrant County, Texas, and subsequently released in Volume 15317, Page 331 of said Official Public Records of Tarrant County, Texas and also known as 7199 Calmont Avenue, Fort Worth, Tarrant County, Texas 76116 (City Project No. 104345);
2. Find that the total purchase price of \$105,000.00 is just compensation and pay estimated closing costs in an amount up to \$10,000.00 for a total cost of \$115,000.00; and
3. Authorize the City Manager or designee to execute the necessary contracts of sale and purchase, to accept the conveyances, and to execute and record the appropriate instruments.

DISCUSSION:

The purpose of this Mayor and Council Communication (M&C) is to seek approval to acquire a portion of the abandoned railroad corridor located at 7199 Calmont Avenue, Fort Worth, Tarrant County, Texas 76116 for the Park & Recreation Department (PARD) to construct a 12' wide shared-use Bomber Spur Trail from Calmont Avenue to West Vickery Boulevard. When completed, the Bomber Spur Trail will feature a 12' wide paved trail, neighborhood trailheads, a pedestrian bridge over Camp Bowie Boulevard, retaining walls and ramps, landscape amenities, and street crossing signals.

Title research by Republic Title and 7 Arrows Land Staff, LLC established a chain of heirship for the previous owner of the subject property. Alamo Title Company provided a title commitment with Susan Polk Taylor Carr, Jim Taylor, and Joy Lynn Trentman Fitzsimmons as the vested owners.

The sellers have agreed to sell the properties to the City of Fort Worth and the purchase prices are supported by independent appraisals. The mineral estates will not be acquired and the deeds will contain a surface use waiver for the exploration of the mineral estates. The City will be responsible for taxes due up to the closing date. The City will pay closing costs in an amount up to \$10,000.00. As additional consideration, PARD agreed to install two benches memorializing each family along the trail and within the subject properties.

Parcel No.	Legal Description	Acreage / Property Interest	Property Price
19-1	Hays Covington Survey, Abstract No. 256 (Tarrant Appraisal District Account No. 00024775)	0.778 Acre / Fee Simple	\$72,000.00
19-2A	Hays Covington Survey, Abstract No. 256 (Tarrant Appraisal District Account No.00024694)	0.361 Acre / Fee Simple	\$33,000.00
	Total Cost to Acquire Property		\$105,000.00
	Estimated Closing Costs		\$10,000.00
	Total Cost to Acquire All Properties with Closing Costs		\$115,000.00

Upon City Council approval, staff will proceed with acquiring the fee simple interests and any remaining structures will be scheduled for demolition through the Environmental Services Department.

Acquisition of 0.778 acre Parcel 19-1 is estimated to have one-time cleanup cost of \$350.00 and increase PARD's annual maintenance cost by \$1100.00 beginning in FY2025. Acquisition of the 0.361 acre Parcel 19-2A is estimated to have one-time cleanup cost of \$150.00 and increase PARD's annual maintenance cost by \$300.00 beginning in FY2025. As of March 2024, the cumulative total of all previously approved M&C's increased the department's estimated annual maintenance by \$704,103.00 beginning in FY2025.

Funding is budgeted in the Grant Cap Projects Federal Fund and the General Fund for the Park and Recreation Department for the purpose of

funding the Trail Gap Bomber Spur Ph 1 Project, as appropriated. The federal funding is provided through the Texas Department of Transportation.

This property is located in COUNCIL DISTRICT 3.

A Form 1295 is not required because: This M&C does not request approval of a contract with a business entity.

FISCAL INFORMATION / CERTIFICATION:

The Director of Finance certifies that funds are available in the current capital budget, as previously appropriated, in the Grants Cap Projects Federal Fund and the General Fund for the Trail Gap Bomber Spur Ph I project to support the approval of the above recommendations and land acquisition. The financial records of the City will be updated to reflect this dedication based upon the Capital Assets Policy contained within the Financial Management Policy Statements. Prior to an expenditure being incurred, the Property Management and Park & Recreation Departments have the responsibility to validate the availability of funds. This is a reimbursement grant.

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

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