

# 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 August \_\_, 2025, in M&C \_\_\_\_\_, ordered and decreed that a public necessity existed to acquire .156 acres of land in Permanent Sewer Easement and approximately .279 acres for a Temporary Construction Easement from Real Property Owned by the Ronald J. Miller, Located at 335 Winscott Road, in the J.B. Foster Survey, Abstract No. 520, City of Benbrook, 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 Mary’s Creek Force Main (the “Project”);
- the land rights in the Property are needed to transport wastewater to the future Mary’s Creek reclamation facility;
- 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, Ronald J. Miller, were unsuccessful due to 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 .156 acres of land in Permanent Easement and approximately .279 acres for a Temporary Easement Acquisition from real property owned by Ronald J. Miller. The subject property is located at 335 Winscott Road, in the J.B. Foster Survey, Abstract No. 520, City of Benbrook, Tarrant County, Texas. The land rights in the subject property are needed for the Mary’s Creek Force Main, a public use that provides for transporting wastewater to the future Mary’s Creek Water Reclamation Facility in order to treat wastewater produced in the rapidly developing western part of the City. 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 Councilmember\_\_\_\_\_, 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