

City of Fort Worth, Texas

# Mayor and Council Communication

DATE: 06/24/25 M&C FILE NUMBER: M&C 25-0620

LOG NAME: 21CONDEMN 102130 PARCEL 5 COMREF RIVERPARK LLC

SUBJECT

(CD 5) Adopt Attached Resolution Authorizing Condemnation by Eminent Domain to Acquire a Pedestrian Access Easements for Parcel 5 Containing Approximately 0.3058 Acres and Temporary Construction Easements Containing Approximately 0.3523 Acres from Improved Property Owned by Comref Riverpark LLC Located at 3100 High River Road, Situated 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 for the CentrePort Trail Phase 2 Project

RECOMMENDATION:

It is recommended that the City Council:

1. Declare that negotiations between the City and the property owner to acquire approximately 0.3058 acres of Pedestrian Access Easement and 0.3523 of Temporary Construction Easement from real property owned by Comref Riverpark LLC, located at 3100 High River Road, situated 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, were unsuccessful due to the inability to reach a mutually agreed upon value for the property interest being acquired by the City;
2. Declare the necessity to acquire the described property interest for the Centreport Trail Phase 2 project (City Project No.102130);
3. Adopt the attached resolution authorizing the City to use its power of eminent domain to acquire the property for public use;
4. Authorize the City Attorney to institute condemnation by eminent domain proceedings to acquire the described property interest from the property owner from the Grants Cap Projects Federal Fund Centreport Trail Phase 2 project (City Project No.102130);
5. Authorize a payment pursuant to an award of commissioners or a negotiated settlement; and
6. Authorize the City Manager or designee to accept the conveyance and to execute and record the necessary and appropriate instruments.

DISCUSSION:

The property rights in the improved subject property are required to construct a pedestrian access trail. The CentrePort Trail Phase 2 project begins at the CentrePort TRE Station Phase 1 trail, extends further east along the railroad track, turns south along west Trinity Boulevard sidewalk and ends at the Fort Worth/Grand Prairie city boundary. Site improvements will include a paved shared-use path, a pedestrian bridge, retaining walls, and related drainage infrastructure. On February 18, 2020, the City Council approved an Advanced Funding Agreement (AFA) with TxDOT in an amount up to \$5,700,577.00 for this project (M&C 20-0104).

An independent appraisal established fair market value for the permanent access and temporary construction property interests in the total amount of \$121,592.00. Negotiations were unsuccessful due to the inability to reach a mutually agreed upon value for the property interests being acquired by the City.

Upon approval, a Special Commissioners' hearing will be brought to acquire the permanent access easement and temporary construction easement on the property.

Parcel No.	Legal Description	Acreage	Interest
5	Payton R. Splane Survey, Abstract Number 1454, and Being Part of Lot 3R2, Block 2, and Lots 3R1 & 3R2, Block 2, Meeker Addition	0.3058	Pedestrian Access Easement
5	Payton R. Splane Survey, Abstract Number 1454, and Being Part of Lot 3R2, Block 2, and Lots 3R1 & 3R2, Block 2, Meeker Addition	0.3523	Temporary Construction Easement

To approve this Mayor and Council Communication (M&C), the Council Member making a motion to authorize condemnation by eminent domain should say:

"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."

Funding is budgeted in the Grants Capital Projects Federal Fund for the Park & Recreation Department for the purpose of funding CentrePort Trail Phase 2 Project (City Project No. 102130), as appropriated. This includes the engineering, land acquisition, and construction of the project. Indirect cost recovery does not apply based on the AFA with TxDOT. There is no grant application repository number, as the Park &

Recreation Department did not apply for this grant. The federal funding is provided by the AFA through the Texas Department of Transportation.

This property is located in COUNCIL DISTRICT 5.

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 for the CentrePort Trail Phase 2 project to support the approval of the above recommendations and land acquisition. 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 State Advance Funding Agreement.

**Submitted for City Manager's Office by:** Valerie Washington 6199

**Originating Business Unit Head:** Marilyn Marvin 7708

**Additional Information Contact:** Jeremy Van Rite 2574