

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 3.85 acres in right-of-way easements from real property located at 400-640 Avondale Haslet Road owned by Hall-Nance Ranches, LTD, 0.437 acres in right-of-way easement from real property located at 540 Avondale Haslet Road owned by Daniel Lewis Nance, and 3.364 acres in right-of-way easement from real property located at 900 Avondale Haslet Road owned by David E. Nance, all units of the properties being situated in the Bramlett & Ryan Survey, Abstract 227 and M.E.P. & P. RR. CO. Survey, Abstract 1132, City of Haslet, 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 Avondale Haslet Road project (the “Project”);
- the first record vote applies to all units of the properties to be condemned;
- the land rights in the Property are needed for new road improvements;
- 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;
- the minutes of this Fort Worth City Council meeting reflect that the first vote applies to all of those units described herein; 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 owners, Hall-Nance Ranches, LTD, Daniel Lewis Nance, and David E. Nance, 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 3.85 acres in right-of-way easements from real property owned by Hall-Nance

Ranches, LTD, located at 400-640 Avondale Haslet Road; 0.437 acres in right-of-way easement from real property owned by Daniel Lewis Nance, located at 540 Avondale Haslet Road; and 3.364 acres in right-of-way easement from real property owned by David E. Nance, located at 900 Avondale Haslet Road. The subject properties are situated in the Bramlett & Ryan Survey, Abstract 227 and M.E.P. & P. RR. CO. Survey, Abstract 1132, City of Haslet, Tarrant County, Texas. The first record vote applies to all units of the properties to be condemned for the Avondale Haslet Road project, a public use that will reconstruct and widen Avondale Haslet Road from Willow Creek Drive to the eastern city limits of the City of Haslet at John Day Road. The land rights in the properties will be used for widening and reconstructing the existing two-lane asphalt roadway to a four-lane, divided, concrete urban arterial. The property interests to be condemned are described by metes and bounds and depicted by survey exhibits attached to this Mayor and Council Communication and the minutes of this Fort Worth City Council meeting reflect that the first vote applies to all of those units described herein.”

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: _____
Jannette S. Goodall City Secretary