

# 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 February 27, 2024, in M&C \_\_\_\_\_, ordered and decreed that a public necessity existed to acquire 0.041 acres of land in right-of-way easement and .010 acres for a temporary construction easement from real property located at 5941 WJ Boaz Road in the Lake Crest Estates Addition, an Addition to the City of Fort Worth, Block E, Lots 2 and 3, 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 WJ Boaz Road Widening Improvements project (the “Project”);
- the land rights in the Property are needed for roadway improvements including pavement reconstruction with curb and gutter, drainage improvements, street lights, shared use paths and reconstruction of the existing roundabout at Bowman Roberts Road;
- 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 owner, Octavio Mesa, Jr., were unsuccessful due the 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 0.041 acres of land in right-of-way easement and .010 acres for a temporary construction easement from real property owned by Octavio Mesa, Jr. The subject property is located at 5941 WJ Boaz Road in the Lake Crest Estates Addition, an Addition to the City of Fort Worth, Block E, Lots 2 and 3, Tarrant County, Texas. The land rights in the subject property are needed for the WJ Boaz Road Widening Improvements project, a public use that provides for roadway improvements including

pavement reconstruction with curb and gutter, drainage improvements, street lights, shared use paths and reconstruction of the existing roundabout at Bowman Roberts Road. 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 \_\_\_\_\_, 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