

Mayor and Council Communication

DATE: 05/20/25

M&C FILE NUMBER: M&C 25-0467

LOG NAME: 21MAHAFFEY FAMILY OPEN SPACE ACQUISITION

SUBJECT

(CD 7 ETJ) Amend Mayor and Council Communication 24-1022 to Authorize the Acquisition of a Fee Simple Interest in Approximately 43.202 Acres of Land Located at 6698, 6600, 6670, 6674, 6664, 6654, 6644, 6634, 6650, and 6620 Mahafy Street, Fort Worth, Tarrant County, Texas 76135 in an Amount Up to \$1,730,000.00 from Barbara Goldwater Mahaffey, as Independent Executor of the Estate of David M. Mahaffey, Richard Bruce Mahaffey, as Personal Representative of the Estate of Carroll Joe Mahaffey, Gregory L. Mahaffey, as Trustee of the CVM Family Trust, Dena Marie Mahaffey Brown, Joseph Duane Mahaffey, and John I. Mahaffey, with Reservation of Life Estate for 6674 Mahafy Street, for the Open Space Conservation Program, Pay Estimated Closing Costs in an Amount Up to \$30,000.00, and to Authorize Up to \$55,000.00 for Pre-Acquisition Costs and Staff Time (2022 Bond Program)

RECOMMENDATION:

It is recommended that the City Council:

1. Amend Mayor and Council Communication 24-1022 to authorize the acquisition of a fee simple interest in approximately 43.202 acres of land located at 6698, 6600, 6670, 6674, 6664, 6654, 6644, 6634, 6650, and 6620 Mahafy Street, Fort Worth, Tarrant County, Texas 76135 in an amount up to \$1,730,000.00 from Barbara Goldwater Mahaffey, as Independent Executor of the Estate of David M. Mahaffey, Richard Bruce Mahaffey, as Personal Representative of the Estate of Carroll Joe Mahaffey, Gregory L. Mahaffey, as Trustee of the CVM Family Trust, Dena Marie Mahaffey Brown, Joseph Duane Mahaffey, and John I. Mahaffey, with Reservation of Life Estate for 6674 Mahafy Street, for the OSAcq - Mahaffey Project (City Project No. 105875);
2. Authorize the payment of estimated closing costs in an amount up to \$30,000.00;
3. Authorize the expenditure of Open Space Conservation Program funds in an amount up to \$55,000.00 for pre-acquisition costs and staff time; and
4. Authorize the City Manager or designee to execute the necessary contract of sale and purchase, accept the conveyance, and to execute and record the appropriate instruments to complete the acquisition.

DISCUSSION:

On November 19th, 2024, through Mayor and Council Communication (M&C) 24-1022, the Fort Worth City Council authorized the acquisition of a fee simple interest in approximately 41.667 acres from John I. Mahaffey, David M. Mahaffey, Margery Mahaffey Brinkley, Francis Belle Mahaffey, Geraldine Davis Mahaffey, Charles V. Mahaffey, and Gregory L. Mahaffey, Individually and as Co-Trustees of the CVM Family Trust. However, since M&C 24-1022 was approved, the title company issued an updated title commitment reflecting that the property, as a result of the passing of David M. Mahaffey, is now owned by Barbara Goldwater Mahaffey, as Independent Executor of the Estate of David M. Mahaffey, Richard Bruce Mahaffey, as personal representative of the Estate of Carroll Joe Mahaffey, Gregory L. Mahaffey, Trustee of the CVM Family Trust, Dena Marie Mahaffey Brown, Joseph Duane Mahaffey and John I. Mahaffey. The updated title commitment also reflects the proper acreage for the property, totaling 43.202 acres, based on revised surveys. Therefore, staff recommends that M&C 24-1022 be amended to reflect the updated ownership and acreage.

The Open Space Working Group assessed the property utilizing the Open Space Prioritization Tool online map, which identifies the property as moderate to high priority for conservation based on available data as well as site visits performed by City staff. The site includes high-quality, old-growth riparian tree canopy, as well as previously-disturbed areas returning to high-quality prairie. These areas are recovering quickly and there are no environmental contamination concerns from previous activity. While the property does include residential structures, these represent a small portion of the overall property and can be demolished or used for other purposes similar to properties in the adjacent Fort Worth Nature Center (FWNC). After acquisition, the intent is to incorporate this property into the FWNC in the future. Once incorporated into the FWNC, the property may be included in the FWNC master plan. This property will provide a new entrance point to the FWNC, keeping truck traffic off of roadways used by pedestrians, and will provide a buffer protecting ecologically sensitive areas of the FWNC.

Conservation of this property supports the Open Space Conservation Program goals, including: ecosystem preservation; stream, river, and lake health; and flood control. This acquisition will support Fort Worth Mayor Mattie Parker's Good Natured Greenspace Initiative goal of preserving 10,000 acres of greenspace across Fort Worth in the next five years while growing and enhancing the FWNC.

An independent appraisal established fair market value for the property and the property owners have agreed to a negotiated amount up to \$1,730,000.00 for the fee simple interest in the land. The two-acre home-site property will include the reservation of a life estate. The real estate taxes will be pro-rated with the seller being responsible for taxes due up to the closing date. The City will pay total estimated closing costs in the amount up to \$30,000.00. Funding for this acquisition will come from the Open Space Conservation Program. This M&C also authorizes funding in an amount up to \$55,000.00 for pre-acquisition costs and staff costs associated with the acquisition process, including initial site investigation activities, appraisal, earnest money, staff time, Environmental Site Assessments, and other applicable costs associated with evaluating and acquiring the property. Funding for this acquisition will be provided from the 2022 Bond Program Fund in the Open Space Conservation Program (OSAcq - Mahaffey City Project No. 105875)

Any unused funding upon project completion will be returned to the Open Space Appropriations Project (City Project No. PA0001).

Upon acquisition, the estimated annual operation costs to maintain the property in its natural condition will be \$2,000.00. The annual operation cost includes activities such as maintaining fire breaks, prescribed burns, and controlling invasive species. In the first year, initial one-time improvements estimated at \$7,000.00 are needed to create perimeter fire breaks and to control Johnson grass. The property will be general City property under the Open Space Conservation Program, not parkland; however, maintenance will be provided by the Park & Recreation Department (PARD). Funds for annual maintenance will be budgeted in the PARD annual operating budget. Funding for operations and maintenance will be allocated to the PARD's base budget beginning in FY2026.

This project is included in the 2022 Bond Program. The City's Extendable Commercial Paper (ECP) (M&C 22-0607; Ordinance 25675-08- 2022) provides liquidity to support the appropriation. Available resources will be used to make any interim progress payments until debt is issued. Once debt associated with a project is sold, debt proceeds will reimburse the interim financing source in accordance with the statement expressing official Intent to Reimburse that was adopted as part of the ordinance canvassing the bond election (Ordinance 25515-05-2022).

The following table demonstrates the funding for the acquisition:

Activity	Fund	Amount
Fee Simple Interest in 41.202 Acres	34027 – 2022 Bond Program Fund – 22050199 Prop E Open Spaces (City Project No. PA0001)	\$1,500,000.00
Fee Simple Interest in 2.00 Acres with Reservation of a Life Estate	34027 – 2022 Bond Program Fund – 22050199 Prop E Open Spaces (City Project No. PA0001)	\$230,000.00
Estimated Pre-Acquisition & Staff Costs	34027 – 2022 Bond Program Fund – 22050199 Prop E Open Spaces (City Project No. PA0001)	\$55,000.00
Estimated Closing Costs	34027 – 2022 Bond Program Fund – 22050199 Prop E Open Spaces (City Project No. PA0001)	\$30,000.00
	Total:	\$1,815,000.00

This property is located in COUNCIL DISTRICT 7 ETJ.

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 approval of these recommendations will have no material effect on City funds.

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

Originating Business Unit Head: Marilyn Marvin 7708

Additional Information Contact: Dickson Robin 2554