

# 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 0.0273 acres in right-of-way easement, 0.0046 acres in permanent utility easement, and 0.2636 acres for a temporary construction easement from real property located 5605 Locke Avenue in the J A Bowers Survey, Abstract No. 87, Part of Lot 18-R-2, Block 143, Chamberlin Heights First Filing, City of Fort Worth, 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 Camp Bowie and Horne Intersection Improvements (the "Project");
- the land rights in the Property are needed for new road intersection 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; and
- the Real Property Division of the Property Management Department is authorized to acquire by negotiation the Property needed for the Project.

**WHEREAS**, the City of Fort Worth will acquire the needed property interests to obtain clear title; 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 0.0273 acres in right-of-way easement, 0.0046 acres in permanent utility easement, and 0.2636 acres in temporary construction easement from real property owned by STORE Capital Acquisitions LLC, located at 5605 Locke Avenue in the J A Bowers Survey, Abstract No. 87, Part of Lot 18-R-2, Block 143, Chamberlin Heights First Filing, City of Fort Worth, Tarrant County, Texas. The property is needed to enhance and improve the traffic flow and safety at the road intersection of Camp Bowie and Horne streets (City Project No 103313), a public use project that will reconfigure the intersection routing. 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: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_