

# Mayor and Council Communication

DATE: 09/13/22

M&C FILE NUMBER: M&C 22-0723

LOG NAME: 80SYCAMORE PARK DEED AMENDMENT

## **SUBJECT**

(CD 8) Authorize Execution of an Amended and Restated Special Warranty Deed with Tarrant Regional Water District to Modify the Deed's Possibility of Reverter and to Convey a Flowage Easement to Tarrant Regional Water District for a Portion of Sycamore Park

---

## **RECOMMENDATION:**

It is recommended that the City Council:

1. Authorize execution of an Amended and Restated Special Warranty Deed with Tarrant Regional Water District to modify the deed's possibility of reverter in exchange for the conveyance of a flowage easement to Tarrant Regional Water District for a portion of Sycamore Park; and
  2. Authorize the City Manager or his designee to execute and record the Amended and Restated Special Warranty Deed.
- 

## **DISCUSSION:**

The purpose of this Mayor and Council Communication (M&C) is to amend the Special Warranty Deed in order to modify the possibility of reverter held by Tarrant Regional Water District (TRWD) for a portion of Sycamore Park (the Property), as depicted in the attached maps. In exchange for modifying the deed, TRWD requested that the City convey a flowage easement over the Property to TRWD.

On May 30, 1991, TRWD conveyed the Property to the City of Fort Worth (the "City") by a Special Warranty Deed recorded as Volume 10296, Page 1169 in the Official Real Property Records of Tarrant County, Texas (the "Deed"). The Deed included a possibility of reverter in favor of TRWD, providing that if "the Property ceases to be used solely for the purpose of a public golf course for a period of twelve (12) consecutive months, then the entire property shall automatically revert to [TRWD]." The Deed also included a mineral reservation.

Since the conveyance of the Property in 1991, the City utilized the Property for the operation of the Sycamore Creek Golf Course. However, the Sycamore Creek Golf Course was closed in September 2019 to allow for the construction and installation of a sewer line through the Property. Since the closure of the golf course, the City opened the golf course for one day per year and TRWD agreed, in writing, to delay the reverter of the Property. The Park & Recreation Department now intends to redevelop the Property into a general use park in accordance with the Sycamore Park Master Plan endorsed by the Park & Recreation Advisory Board on February 26, 2020. TRWD agreed to modify the reversion clause in the Deed to allow the Property to be used as either a public golf course or a public park.

In exchange for modifying the Deed, TRWD requested that the City convey a flowage easement over the Property to TRWD. The flowage easement will allow TRWD to use the Property for flood control purposes. Because the Property is located in a FEMA mapped 100-year floodplain, City staff recommends conveying the flowage easement to TRWD.

Sycamore Park is located in COUNCIL DISTRICT 8 and is classified as a community park.

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:** Jessica McEachern 5804

**Originating Business Unit Head:** Dave Lewis 5717

**Additional Information Contact:** Joel McElhany 5745

Expedited