

# A Resolution

NO. [REDACTED]

## 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 **January**, 2021, in M& C [REDACTED], ordered and decreed that a public necessity existed for 0.441 acres in permanent sewer easement and 1.291 acres for temporary construction easements from improved property located east of the intersection of East Loop 820 South and Martin Street James W. Daniel Survey, Abstract 395, City of Fort Worth, Tarrant County, Texas, 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 the Lake Arlington Force Main and Lift Station Project ( the " Project")
- the land rights in the Property are needed for new sewer improvements as necessary;
- 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 [REDACTED], 2021, at a regular meeting of the Fort Worth City Council, upon Motion of Council member [REDACTED], to wit:

“I move that the Fort Worth City Council adopt the resolution authorizing use of the power of eminent domain to acquire 0.441 acres in permanent easement and 1.291 acres for temporary construction easements from improved property owned by VSB Investments, LLC. The property is needed for the Lake Arlington Force Main and Lift Station Project, a public use that will increase sewer capacity for the Village Creek Wastewater Basin. The property is located east of the intersection of East Loop 820 South and Martin Street James W. Daniel Survey, Abstract 395, City of Fort Worth, Tarrant County, Texas.

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 [REDACTED], 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 \_\_\_\_\_ 2020.

ATTEST:

By: \_\_\_\_\_

Mary Kayser, City Secretary

