

# Mayor and Council Communication

**DATE:** 02/28/23

**M&C FILE NUMBER:** M&C 23-0162

**LOG NAME:** 21CPN 103276 P63 4530 KELLER HICKS RD ROWE ACQ

**SUBJECT**

(CD 7 / Future CD 10) Authorize Acquisition of Right-of-Way Easement in 0.068 Acres from Real Property Owned by Shannon M. Bell and Terry B. Bell, Located at 4530 Keller Hicks Road in the J. Billingsley Survey, Abstract No. 70, Tract 4E01, Tarrant County, Texas, in the Amount of \$109,229.00 and Pay Estimated Closing Costs in an Amount Up to \$5,000.00 for a Total Cost of \$114,229.00 for the Keller Hicks Road Project (2022 Bond Program)

**RECOMMENDATION:**

It is recommended that the City Council:

1. Authorize acquisition of right-of-way easement in 0.068 acres from real property owned by Shannon M. Bell and Terry B. Bell, located at 4530 Keller Hicks Road in the J. Billingsley Survey, Abstract No. 70, Tract 4E01, Tarrant County, Texas, for the Keller Hicks Road Project (City Project No. 103276);
2. Find that the total purchase price of \$109,229.00 is just compensation and pay estimated closing costs in an amount up to \$5,000.00 for a total cost of \$114,229.00; and
3. Authorize the City Manager or his designee to accept the conveyance and record the appropriate instruments.

**DISCUSSION:**

The right-of-way easement interest is needed for the reconstruction and widening of Keller Hicks Road from Lauren Way to Park Vista Boulevard. Keller Hicks Road is approximately 3,100 feet in length and is identified in the City's Master Thoroughfare Plan as a three-lane commercial connector. The proposed project will replace the existing two-lane asphalt road with a concrete three-lane street that will have travel lanes in each direction including a mutual left-turn lane, drainage, street lights, and ten-foot sidewalks, ramps, and signals that conform with the Americans with Disabilities Act (ADA).

An independent appraisal established the property's fair market value and the property owner has agreed to the negotiated amount of \$109,229.00 as total compensation for the needed property interest (as shown below). The City will pay estimated closing costs in the amount up to \$5,000.00.

Upon City Council approval, Staff will proceed with acquiring the needed right-of-way easement interest.

Ownership	Parcel	Property Location	Legal Description	Acreage / Property Interest	Amount
Shannon & Terry Bell	63	4530 Keller Hicks Rd	J. Billingsley Survey, Abstract No. 70 Tract 4E01	0.068 Acres / Right-of-Way Easement	\$109,229.00
				Estimated Closing Costs	\$5,000.00
				<b>TOTAL COST</b>	<b>\$114,229.00</b>

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 actually 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).

Funding is budgeted in the TPW Dept Highway & Streets Department's Developer Contribution Fund for the purpose of funding the Keller Hicks Road project, as appropriated.

This property is located in COUNCIL DISTRICT 7 / Future COUNCIL DISTRICT 10.

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 funds are available in the current capital budget, as previously appropriated, in the Developer Contribution Fund for the Keller Hicks Road project to support the approval of the above recommendations and acquisition of the property interest. Prior to any expenditure being incurred, the Transportation & Public Works Department has the responsibility to validate the availability of funds.

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Expedited