

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 September ____, 2019, in M&C L-_____, ordered and decreed that a public necessity existed for 1.395 acres in permanent right-of-way easement and a total of 0.7869 acres for temporary construction easements from improved property located east of the intersection of Cleburne Road and McPherson Boulevard in the Moses Walters Survey, Abstract No. 1598, 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 McCart Avenue/McPherson Boulevard Project (the “Project”) that will extend McPherson Boulevard from Cleburne Road eastward to the future McCart Avenue;
- the land rights in the Property are needed for new travel lanes, storm drainage improvements, sidewalks, and streetlights 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 _____ day of _____, 2019, 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 1.395 acres in permanent right-of-way easement and a total of 0.7869 acres for temporary construction easements from improved property owned by Diljit Singh. The property is needed for the McCart Avenue/McPherson Boulevard Project, a public use that will extend McPherson Boulevard from Cleburne Road eastward to the future McCart Avenue. The land rights in the improved

subject property are needed for new travel lanes, storm drainage improvements, sidewalks, and streetlights as necessary. The property is located east of the intersection of Cleburne Road and McPherson Boulevard in Abstract No. 1598, Moses Walters Survey, 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 _____, 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 _____ 2019.

ATTEST:

By: _____

Mary Kayser, City Secretary