

# Mayor and Council Communication

**DATE:** 08/27/19

**M&C FILE NUMBER:** M&C 19-0080

**LOG NAME:** 21PMD CAH 2213 WESTERN AVE

**SUBJECT**

Authorize Voluntary Acquisition of a Fee Simple Interest in 2213 Western Avenue from Jenni E. Jones in the Amount of \$392,300.00 and Pay Estimated Closing Costs in the Amount of \$7,000.00 for a Total Cost of \$399,300.00 and Authorize Eligible Payments of Relocation Assistance up to \$31,000.00 Plus Eligible Moving Expenses Up to \$10,000.00 for the Central Arlington Heights Drainage Improvement Project No. 101262 (COUNCIL DISTRICT 7)

**RECOMMENDATION:**

It is recommended that the City Council:

1. Authorize the voluntary acquisition of a fee simple interest in 0.1893 acres of land and improvements located at 2213 Western Avenue, Fort Worth, Texas, from Jenni E. Jones in the Amount of \$392,300.00 for the Central Arlington Heights Drainage Improvement Project No. 101262;
2. Authorize acceptance of the conveyance, the recording of the appropriate instrument and payment of estimated closing costs up to \$7,000.00; and
3. Authorize the payment of relocation assistance up to the amount of \$31,000.00 plus eligible moving expenses up to \$10,000.00; and
4. Authorize the City Manager or his designee to execute and record the appropriate conveyance documents.

**DISCUSSION:**

Central Arlington Heights Neighborhood is subject to severe localized flooding during rain events. Mitigating flood risk to the neighborhood through traditional drainage system improvements, such as increasing the capacity of the pipe system, is cost prohibitive. Voluntary property acquisition will relieve the residents in the most flood prone homes from ongoing exposure to flood damages. Therefore, non-reimbursable funding has been appropriated from the Stormwater Capital Projects Fund to pursue a strategy of voluntary property acquisitions to mitigate chronic flood risk.

This home at 2213 Western Avenue is one of the more flood-prone properties in the neighborhood, and as such, the property owners have agreed to participate in this voluntary acquisition program.

An independent appraisal was obtained to establish the fair market value of the property. The owners have agreed to sell the property and signed the City's sale and purchase contract in the amount of \$392,300.00. The real estate taxes will be pro-rated with the seller responsible for taxes due up to the closing date. The City will pay closing costs up to \$7,000.00.

On April 7, 2015, City Council Resolution No. 4430-04-2015 authorized the adoption of the City of Fort Worth Relocation Assistance Rules. The rules are to ensure the City provide relocation assistance and advisory services to qualifying persons, businesses, farming or ranching operations, or nonprofit organizations who are displaced in connection with the acquisition of real property for a public purpose and are compatible with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA), as amended. For this voluntary acquisition, the sellers are eligible to receive relocation assistance in the amount up to \$31,000.00 plus eligible moving expenses up to an estimated amount of \$10,000.00.

Upon City Council approval, Staff will proceed with acquiring the fee simple interest in the property except for the mineral estate. The deed to the City will contain a surface waiver for the exploration of the mineral estate.

Property Address	Legal Description	Property Type	Acreage	Purchase Price	Estimated Closing Costs (Up To)	Acquisition Total	Relocation Assistance Amount (Up To)	Eligible Moving Expenses (Estimate)
2213 Western Avenue	Hillcrest Addition -- Fort Worth, Block 5, Lot 29	Fee Simple	0.1893	\$392,300.00	\$7,000.00	\$399,300.00	\$31,000.00	\$10,000.00

This property is located in COUNCIL DISTRICT 7.

A Form 1295 is not required for this contract because: This M&C does not request approval of a contract with a business entity.

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**FISCAL INFORMATION / CERTIFICATION:**

The Director of Finance certifies that upon approval of the above recommendation, funds are available in the current capital budget, as appropriated, of the Stormwater Capital Projects Fund. Prior to an expense being incurred, the Department has the responsibility to validate the availability of funds.

**Submitted for City Manager's Office by:** Kevin Gunn      2015

**Originating Business Unit Head:** Roger Venables      6334

**Additional Information Contact:** Niels Brown      5166