

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 _____, 20____, in M&C _____, ordered and decreed that a public necessity existed to acquire 4.269 acres in permanent water facility easement and 1.0291 acres in temporary construction easement, from real property located 12501 Camp Bowie West Boulevard, in the Jonathan Burleson Survey, Abstract 78, Tarrant County, Texas, as described 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 Westside III Water Transmission Main project (the “Project”);
- the land rights in the Property are needed for the continuation of water line improvements;
- 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 Estate 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 by eminent domain to obtain clear title and because no agreement could be reached to purchase the property from the owner; and

WHEREAS, on this _____ day of _____, 20____, 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 4.269 acres in permanent water facility easement and 1.0291 acres in temporary construction easement owned by Michael Nazarian, Rachel Nazarian, and Rebekah Nazarian, Co-Executors of the Estate of Manucher Nazarian, located at 12501 Camp Bowie West Boulevard, in the Jonathan Burleson Survey, Abstract 78, Tarrant County, Texas. The property is needed for the Westside III Water Transmission Main project, a public use that will provide water from the Westside Water Treatment Plant (Old Weatherford Road) to the south side of Interstate 20 (just west of Markum Ranch Road). The land rights in the subject property are needed for the continuation of water line

improvements. The property interests to be acquired are 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 _____ 20_____.

ATTEST:

By: _____
Jannette Goodall, City Secretary