

# Mayor and Council Communication

DATE: 06/16/20

M&C FILE NUMBER: M&C 20-0416

LOG NAME: 21PMD CAH 2212 CARLETON AVE

**SUBJECT**

Authorize Voluntary Acquisition of a Fee Simple Interest in Land, Being All of Lot 10, Block 5, Hillcrest Addition, Including Improvements, Located at 2212 Carleton Avenue from Zachary T. Archer and Laci Pirkle Archer in the Amount of \$524,000.00 and Pay Estimated Closing Costs in the Amount of \$8,000.00 for a Total Cost of \$532,000.00 for the Central Arlington Heights Drainage Improvement Project (COUNCIL DISTRICT 7)

**RECOMMENDATION:**

It is recommended that the City Council:

1. Authorize the voluntary acquisition of a fee simple interest in land, being all of Lot 10, Block 5, Hillcrest Addition, including improvements, located at 2212 Carleton Avenue from Zachary T. Archer and Laci Pirkle Archer in the amount of \$524,000.00 for the Central Arlington Heights Drainage Improvement Project (City Project No. 101262);
2. Authorize the acceptance of the fee simple conveyance and payment of estimated closing costs up to \$8,000.00; and
3. 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.

Eleven owners of the more flood prone Central Arlington Heights properties, including the owner of 2212 Carleton Avenue, requested that the City buy them out. This is the northernmost property on Carleton Avenue identified for voluntary acquisition and is the last of five properties on Carleton Avenue being acquired with Stormwater Utility funding only. Additionally, on Western Avenue immediately west of the Carleton Avenue properties described above, three properties have already been acquired with an offer pending on a fourth property to be acquired with Stormwater Utility funds only. Voluntary acquisition of two additional parcels located on Western Avenue will be facilitated with FEMA grant funding.

An independent appraisal was obtained to establish the fair market value of the 2212 Carleton Avenue property. The owners have agreed to sell the property and signed the City's sale and purchase contract in the amount of \$524,000.00. 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 \$8,000.00.

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
2212 Carleton Avenue	Hillcrest Addition -- Fort Worth, Block 5, Lot 10	Fee Simple	0.1893	\$524,000.00	\$8,000.00	\$532,000.00

This property is located in COUNCIL DISTRICT 7.

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 Stormwater Capital Projects Fund for the Central Arlington Heights Buyout and Detention Improvement project to support the approval of the above recommendations

and acquisition of the property. Prior to any expenditure being incurred, the Transportation & Public Works Department has the responsibility to validate the availability of funds.

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