

Mayor and Council Communication

DATE: 03/25/25

M&C FILE NUMBER: M&C 25-0258

LOG NAME: 21CONDEMN 103648 P1 JOHNSON SISTERS PARTNERSHIP FEE SIMPLE

SUBJECT

(CD 3) Adopt Resolution Authorizing Condemnation by Eminent Domain to Acquire 5.332 Acres in Fee Simple Interest from Real Property Owned by the Johnson Sisters Partnership Located at 10301 Camp Bowie West Boulevard, Fort Worth in the G. M. Pettitt Survey, Abstract No. 1235, Tract 4, City of Fort Worth, Tarrant County, Texas, for the Mary's Creek Confluence Lift Station Project

RECOMMENDATION:

It is recommended that the City Council:

1. Declare that negotiations between the City and the property owner to acquire 5.332 acres in Fee Simple Interest from real property owned by the Johnson Sisters Partnership, located at 10301 Camp Bowie West Boulevard, Fort Worth in the G. M. Pettitt Survey, Abstract No. 1235, Tract 4, City of Fort Worth, Tarrant County, Texas, were unsuccessful due to the inability to negotiate agreeable terms for the property interest being acquired by the City;
2. Declare the necessity to acquire the described property interest for the Mary's Creek Confluence Lift Station project (City Project No. 103648);
3. Adopt the attached resolution authorizing the City to use its power of eminent domain to acquire the property for public use;
4. Authorize the City Attorney to institute condemnation by eminent domain proceedings to acquire the described property interest from the property owner;
5. Authorize a payment pursuant to an award of commissioners or a negotiated settlement; and
6. Authorize the City Manager or his designee to accept and record the appropriate instruments.

DISCUSSION:

The land rights in the subject property are needed for the construction and maintenance of Mary's Creek Confluence Lift Station, (City Project No. 103648). The Project will transport wastewater to the future Mary's Creek Water Reclamation Facility in order to treat wastewater produced in the rapidly developing western part of the City and source high-quality reclaimed water for future businesses and industries in the area.

An independent appraisal established the property's fair market value of the Fee Simple Interest in the total amount of \$425,700.00. Negotiations were unsuccessful due to the inability to negotiate agreeable terms for the property interest being acquired by the City.

Upon approval, a condemnation action will be brought and a Special Commissioner's hearing held to acquire the Fee Simple Interest on the property.

Improved Subject Property

Parcel No.	Legal Description	Acreage / Property Interest
1	G. M. PETITT SURVEY, ABSTRACT NO. 1235 TRACT 4 CITY OF FORT WORTH, TARRANT COUNTY, TEXAS	5.332 Acres / Fee Simple Interest

To approve this Mayor and Council Communication (M&C), the Council Member making a motion to authorize condemnation by eminent domain should say:

"I move that the Fort Worth City Council adopt the resolution authorizing use of the power of eminent domain to acquire 5.332 acres of land in Fee Simple Interest from real property owned by the Johnson Sisters Partnership. The subject property is located at 10301 Camp Bowie West Boulevard, Fort Worth in the G. M. Pettitt Survey, Abstract No. 1235, Tract 4, City of Fort Worth, Tarrant County, Texas. The land rights in the subject property are needed for the Mary's Creek Confluence Lift Station, a public use that provides for transporting wastewater to the future Mary's Creek Water Reclamation Facility in order to treat wastewater produced in the rapidly developing western part of the City. The property interest to be acquired is described by metes and bounds and depicted by survey exhibits attached to this Mayor and Council Communication."

Funding is budgeted in the Water & Sewer Bond 2017A Fund for the Water Department for the purpose of funding the MC LS Site & FM Align project, as appropriated.

This property is located in COUNCIL DISTRICT 3.

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 Water & Sewer Bond 2020A Fund for the MC LS Site & FM Align project to support approval of the above recommendations and acquisition of Fee Simple Interest. Prior to any expenditure being incurred, the Property Management and Transportation and Public Works Departments have the responsibility to validate the availability of funds.

Submitted for City Manager's Office by: Valerie Washington 6192

Originating Business Unit Head: Marilyn Marvin 7708

Additional Information Contact: Ricardo Salazar 8379