

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 0.019 acres in permanent water facility easement, from real property located 920 North Houston Street, situated in Lot A, Block 1, J.W. Nichols Company Addition, City of Fort Worth, 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 Trinity River Vision Project (the "Project");
- the land rights in the Property are needed for sewer 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 0.019 acres in permanent sewer easements owned by Forward Fort Worth River Project, LTD., located at 920 North Houston Street, situated in Lot A, Block 1, J.W. Nichols Company Addition, City of Fort Worth, Tarrant County, Texas. The property is needed for the Trinity River Vision Project, a public use that will construct public sewer improvements increasing conveyance capacity necessary to handle projected growth within the Central City project. The land rights in the subject property are needed for the sewer line improvements. 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 _____ 20_____.

ATTEST:

By: _____
Jannette Goodall, City Secretary

**WATER & SANITARY SEWER RELOCATIONS FOR THE TRINITY RIVER VISION
CENTRAL CITY PROJECT & THE TRINITY UPTOWN SERVICE AREA
BRIDGE & CHANNEL RELOCATIONS
PART 4 – CHANNEL SEGMENT B WATER & SANITARY SEWER RELOCATIONS
PARCEL No. 4-PE
CITY PROJECT No. 00969
920 N. HOUSTON STREET, FORT WORTH, TEXAS
LOT A, BLOCK ONE OF J.W. NICHOLS COMPANY ADDITION**

EXHIBIT “A”

Being a permanent sanitary sewer easement out of Lot A, Block One of J.W. Nichols Company Addition, an addition to the City of Fort Worth, Tarrant County, Texas as recorded in Volume 388-130, Page 76 of the Plat Records of Tarrant County, Texas, said Lot A being deeded to Forward Fort Worth River Project, Ltd. and being further described as Tract III as recorded in County Clerk’s File No. D206278234 of the Deed Records of Tarrant County, Texas, said permanent sanitary sewer easement being more particularly described by metes and bounds as follows:

COMMENCING at a 1/2 inch iron rod with cap stamped “Area Surveying” found for the most southerly southeast corner of said Lot A, said 1/2 inch iron rod with cap stamped “Area Surveying” being the northeast corner of a 2.18 acre tract of land deeded to Texas Midstream Gas Services, L.L.C. as recorded in County Clerk’s File No. D207367811 of said Deed Records of Tarrant County, Texas, said 1/2 inch iron rod with cap stamped “Area Surveying” also being in the westerly right-of-way line of Fort Worth & Western Railroad (a variable width right-of-way), from which a 1/2 inch iron rod with cap stamped “Precise” found for the most easterly northeast corner of Lot A, Block One of Gifford-Hill & Co. Plant No. 41 Site, an addition to the City of Fort Worth, Tarrant County, Texas as recorded in Volume 388-133, Page 100 of said Plat Records of Tarrant County, Texas bears South 04 degrees 57 minutes 41 seconds West, a distance of 76.04 feet, and from which a 1/2 inch iron rod found for reference bears South 04 degrees 57 minutes 41 seconds West, a distance of 76.04 feet and North 12 degrees 37 minutes 47 seconds East, a distance of 0.29 feet; **THENCE** South 88 degrees 43 minutes 42 seconds West, with the south line of Lot A of said J.W. Nichols Company Addition and with the north line of said 2.18 acre tract of land, passing at a distance of 30.40 feet, a 1/2 inch iron rod with cap stamped “Precise” found for the most northerly northwest corner of said 2.18 acre tract of land, said 1/2 inch iron rod with cap stamped “Area Surveying” being the most northerly northeast corner of Lot A of said Gifford-Hill & Co. Plant No. 41 Site, in all, a distance of 50.22 feet to a point for the southwest corner of Lot A of said J.W. Nichols Company Addition, said point being the southeast corner of Lot C, Block One of said J.W. Nichols Company Addition; **THENCE** North 04 degrees 05 minutes 42 seconds East, with the west line of Lot A of said J.W. Nichols Company Addition and with the east line of said Lot C, passing at a distance of 0.43 feet, a 5/8 inch iron rod found for reference, in all, a distance of 15.07 feet to the **POINT OF BEGINNING** of the herein described permanent sanitary sewer easement, said point being in the north line of an existing 15.0’ Sanitary Sewer Easement as recorded in said Volume 388-130, Page 76 of said Plat Records of Tarrant County, Texas;

THENCE North 04 degrees 05 minutes 42 seconds East, with the west line of Lot A of said J.W. Nichols Company Addition and with the east line of said Lot C, a distance of 44.93 feet to a point for corner;

THENCE South 36 degrees 53 minutes 30 seconds East, a distance of 55.03 feet to a point for corner in the north line of said existing 15.0' Sanitary Sewer Easement;

THENCE South 88 degrees 43 minutes 42 seconds West, with the north line of said existing 15.0' Sanitary Sewer Easement, a distance of 36.25 feet to the **POINT OF BEGINNING** and containing 811 square feet or 0.019 acres of land, more or less.

Notes:

- (1) A plat of even survey date herewith accompanies this legal description.
- (2) All bearings and coordinates are referenced to the Texas Coordinate System, NAD-83, The North Central Zone 4202. All distances and areas shown are surface utilizing a surface factor of 1.0001375289116.

Date: March 2, 2016



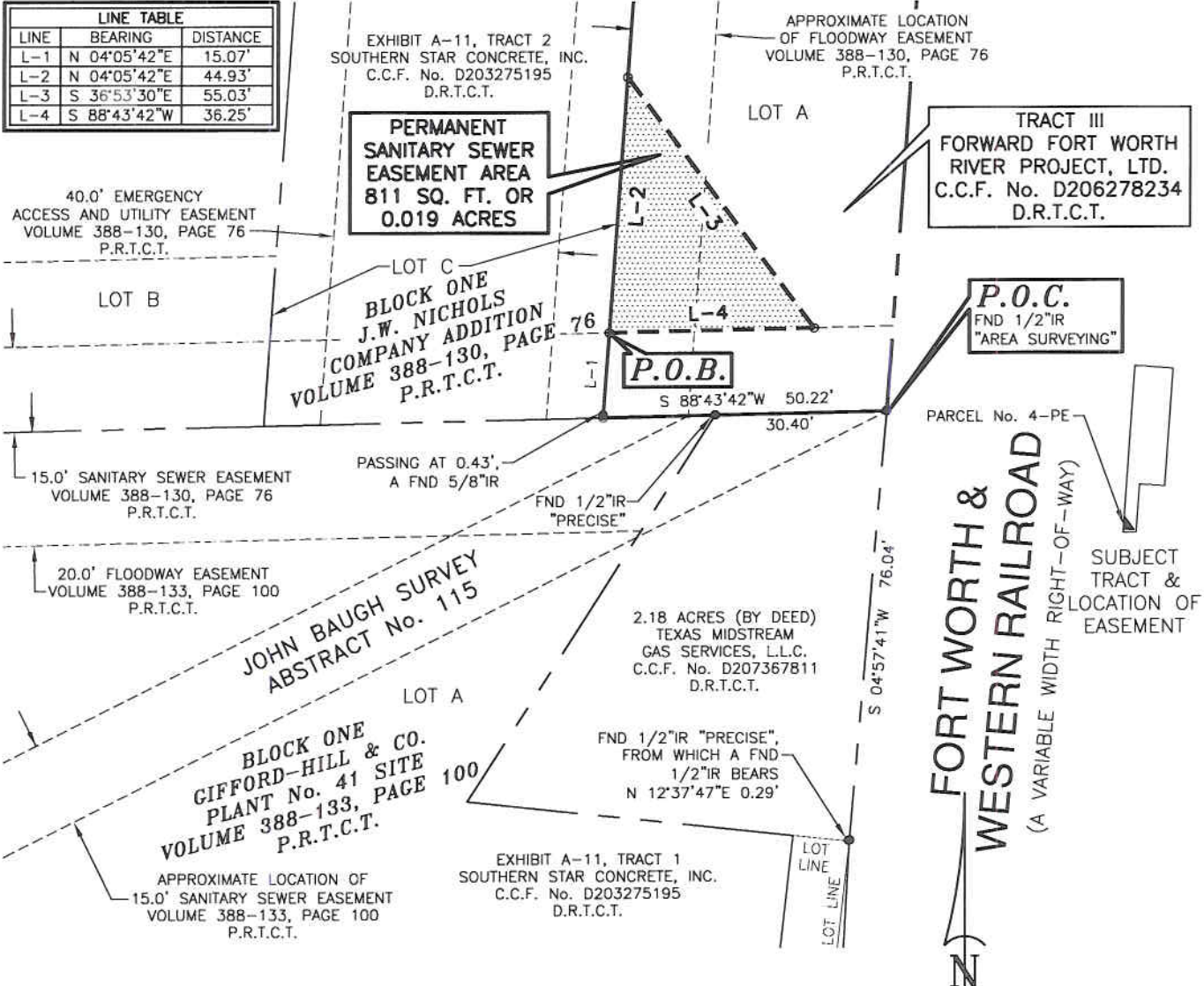
Curtis Smith
Registered Professional Land Surveyor
No. 5494
Texas Firm No. 10106900



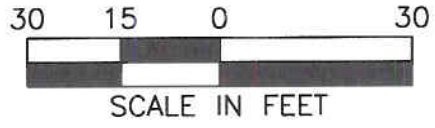
EXHIBIT "B"

PARCEL No. 4-PE

LINE	BEARING	DISTANCE
L-1	N 04°05'42"E	15.07'
L-2	N 04°05'42"E	44.93'
L-3	S 36°53'30"E	55.03'
L-4	S 88°43'42"W	36.25'



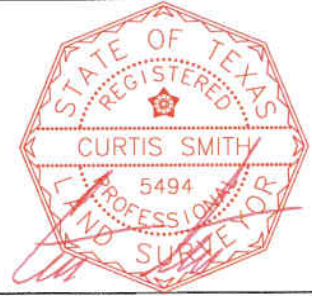
NOTES:
 1. A LEGAL DESCRIPTION OF EVEN DATE ACCOMPANIES THIS PLAT.
 2. ALL BEARINGS AND COORDINATES ARE REFERENCED TO THE TEXAS COORDINATE SYSTEM, NAD-83, THE NORTH CENTRAL ZONE 4202. ALL DISTANCES AND AREAS SHOWN ARE SURFACE UTILIZING A SURFACE FACTOR OF 1.0001375289116.



City of Fort Worth

1000 THROCKMORTON STREET • FORT WORTH, TEXAS 76102

EXHIBIT SHOWING
 A
 PERMANENT SANITARY SEWER EASEMENT
 OUT OF
 LOT A, BLOCK ONE
 OF
 J.W. NICHOLS COMPANY ADDITION
 CITY OF FORT WORTH, TARRANT COUNTY, TEXAS
 AS RECORDED IN
 VOLUME 388-130, PAGE 76
 PLAT RECORDS OF TARRANT COUNTY, TEXAS



PROJECT: PART 4-WATER & SANITARY SEWER RELOCATIONS CITY PROJ. No. 00969

ACQUISITION AREA: 811 SQUARE FEET OR 0.019 ACRES

JOB No. KHA_1308.00 DRAWN BY: JWJ CAD FILE: 4-PE.DWG

DATE: MARCH 2, 2016 EXHIBIT B PAGE 1 OF 1 SCALE: 1" = 30'

CURTIS SMITH
 REGISTERED PROFESSIONAL LAND SURVEYOR
 NO. 5494 TEXAS FIRM No. 10106900