

# Mayor and Council Communication

**DATE:** 06/22/21

**M&C FILE NUMBER:** M&C 21-0416

**LOG NAME:** 211321 EAST POWELL

**SUBJECT**

(CD 8) Authorize the Acquisition of a Fee Simple Interest in Approximately 0.136 Acres of Land Located at 1321 East Powell Avenue, Fort Worth, Tarrant County, Texas from Abraham J. Saenz in the Amount of \$39,000.00 and Pay Estimated Closing Costs in an Amount Up to \$2,000.00 for the Stormwater Minor Repair & Renovation Easement Project

**RECOMMENDATION:**

It is recommended that the City Council:

1. Authorize the acquisition of a fee simple interest in 0.136 acres of land located at 1321 East Powell Avenue in the City of Fort Worth, situated in Lot 25, Block 9, Vickery Southwest Addition, Tarrant County, Texas from Abraham J. Saenz for the Stormwater Minor Repair & Renovation Easement project (City Project No. 100096);
2. Find that the total purchase price of \$39,000.00 is just compensation for the fee simple interest in the land and pay total estimated closing costs in an amount up to \$2,000.00; and
3. Authorize the City Manager or his designee to accept the conveyance and record the appropriate instruments.

**DISCUSSION:**

The purpose of this Mayor and Council Communication (M&C) is to seek approval to acquire a fee simple interest in property located at 1321 E. Powell Avenue for the Stormwater Minor Repair & Renovation Easement project (City Project No. 100096). The property currently has two storm drain pipes traversing the property and the existing drainage easement is insufficient to provide access for maintenance or repair activity needed in the future. The City will continue to maintain the storm drain pipes to ensure continued performance of the drainage infrastructure currently in place for the neighborhood. The City plans to sell the property for future development and, staff will reserve an easement interest for maintenance purposes.

An appraisal of the property was prepared by an independent fee appraiser and the property owner has agreed to the appraised price of \$39,000.00. The real estate taxes will be prorated with the seller being responsible for taxes due up to the closing date. The mineral estate will not be acquired. The deed will contain a surface waiver for the exploration of the mineral estate.

Upon City Council approval, staff will proceed with acquiring the fee simple in the property except for the mineral estate.

Parcel No.	Interest Owner	Property Address/ Legal Description	Type of Property/ Acreage	Amount
1	Abraham J. Saenz	Lot 25, Block 9, Vickery Southeast Addition	0.136 Acres	\$39,000.00
			Total Estimated Closing Cost	\$2,000.00
			Total Cost	\$41,000.00

The property is located in Tarrant County, adjacent to COUNCIL DISTRICT 8.

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 Project Fund for the SW Minor Repair & Renov-Easemn project to support the approval of the above recommendations and acquisition of land. Prior to any expenditure being incurred, the Transportation and Public Works Department has the responsibility to validate the availability of funds.

**Submitted for City Manager's Office by:** Dana Burghdoff 8018

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