

Mayor and Council Communication

DATE: 11/12/24

M&C FILE NUMBER: M&C 24-0960

LOG NAME: 21CONDEMN 103305 P1 SEJ ASSET MANAGEMENT & INVESTMENT COMPANY

SUBJECT

(CD 3) Adopt Resolution Authorizing Condemnation by Eminent Domain to Acquire 0.05 Acres in Right-of-Way and Temporary Construction Easement from Real Property Owned by SEJ Asset Management & Investment Company, Located at 6001 Camp Bowie Blvd in the Chamberlain Arlington Heights Addition, Block 56, Lot A-R, Tarrant County, Texas, for the Camp Bowie at Bryant Irvin Intersection Project (2022 Bond Program)

RECOMMENDATION:

It is recommended that the City Council:

1. Declare that negotiations between the City and the property owner to acquire 0.05 acres in right-of-way and temporary construction easement from real property owned by SEJ Asset Management & Investment Company located at 6001 Camp Bowie Blvd in the Chamberlain Arlington Heights Addition, Block 56, Lot A-R, 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 Camp Bowie at Bryant Irvin Intersection project (City Project No. 103305);
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 intersection improvements at Camp Bowie Blvd and Bryant Irvin Road intersection (City Project No. 103305). The proposed improvements will increase capacity and improve geometry at the intersection.. This project consists of adding exclusive left turn lanes for northbound and southbound lanes on Bryant Irvin Road. The project will also add dual left turn lanes for the westbound lane on Camp Bowie Blvd. The roadway improvements will increase capacity and improve geometry at the intersection.

An independent appraisal established the property's fair market value for the right-of-way property interest in the total amount of \$35,500.00. Negotiations were unsuccessful due to the inability to negotiate agreeable terms for the property interests being acquired by the City.

Upon approval, a condemnation action will be brought and a Special Commissioner's hearing held to acquire the right-of-way easement and temporary construction easement interests on the property.

Parcel No.	Legal Description	Acreage/Property Interest
1	6001 Camp Bowie Blvd, Fort Worth, TX 76116 Chamberlain Arlington Heights Addition, Block 56, Lot A-R	0.012 Acres / Right-of-Way Easement
1	6001 Camp Bowie Blvd, Fort Worth, TX 76116 Chamberlain Arlington Heights Addition, Block 56, Lot A-R	0.038 Acres / Temporary Construction Easement

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 0.012 acres of land in right-of-way easement and 0.038 acres of land in temporary construction easement from real property owned SEJ Asset Management & Investment Company. The subject property is located at 6001 Camp Bowie Blvd in the Chamberlain Arlington Heights Addition, an addition to the City of Fort Worth, Block 56, Lot A-R, Tarrant County, Texas. The land rights in the subject property are needed for the Camp Bowie at Bryant Irvin Intersection Project, a public use that provides for intersection improvements at Camp Bowie Blvd and Bryant Irvin Rd intersection. This project consists of

adding exclusive left turn lanes for northbound and southbound lanes on Bryant Irvin Road. The project will also add dual left turn lanes for the westbound lane on Camp Bowie Blvd. The roadway improvements will increase capacity and improve geometry at the intersection. 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 2022 Bond Program for the purpose of funding the Camp Bowie at Bryant Irvin Intersection 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 2022 Bond Program Fund for the Camp Bowie Blvd at Bryant Irvin project to support approval of the above recommendations and acquisition of easement. 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: Dana Burghdoff 8018

Originating Business Unit Head: Marilyn Marvin 7708

Additional Information Contact: Ricardo Salazar 8379