

# Mayor and Council Communication

**DATE:** 11/05/19

**M&C FILE NUMBER:** M&C 19-0281

**LOG NAME:** 06VA-19-006 ELIZABETH TOWN CEMETERY ROAD

## **SUBJECT**

Adopt Ordinance Vacating a Portion of Elizabeth Town Cemetery Road, to be Replatted with the Adjoining Property for a Proposed Industrial Development in the Alliance Airport Industrial Growth Center (COUNCIL DISTRICT 7)

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## **RECOMMENDATION:**

It is recommended that the City Council:

1. Adopt the attached ordinance vacating a portion of Elizabeth Town Cemetery Road, a presumed prescriptive right-of-way, to be replatted with the adjoining property for a proposed industrial development in the Alliance Airport Industrial Growth Center; and
  2. Waive any and all purchase fee value of the vacated land in accordance with City policy.
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## **DISCUSSION:**

Peloton Land Solutions, Inc., on behalf of AIL Investment, LP, has requested vacation of this portion of a presumed prescriptive right-of-way to be replatted with the adjoining property for an industrial development in the Alliance Airport Industrial Growth Center. The City Plan Commission recommended approval of this request at its meeting on April 24, 2019. An acceptable final plat (FP-19-032) has been received in accordance with the Subdivision Ordinance.

Elizabethtown Cemetry Road is a presumed prescriptive right-of-way. The City of Fort Worth (City) does not own any fee interest in the right-of-way or own any property adjacent to the right-of-way and did not expend any City funds to purchase the right-of-way easement. In accordance with the City's policy regarding street and alley vacation transactions approved by the City Council on March 6, 2007, (M&C G-15624), Staff recommends waiving the fair market value or any portion thereof of purchase price of this right-of-way easement for the street.

This project 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.

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## **FISCAL INFORMATION / CERTIFICATION:**

The Director of Finance certifies that approval of these recommendations will have no material effect on City funds.

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

**Originating Business Unit Head:** Randle Harwood 6101

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