

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 January 13, 2026, in M&C _____, ordered and decreed that a public necessity existed to acquire .5018 acres of land in Permanent Sewer Easement and approximately 1.3336 acres for a Temporary Construction Easement from Real Property Owned by Akard Properties 2001, LLC, Located at 11300 South Freeway, Fort Worth, Tarrant County, Texas in the Phillips, James E. Survey, Abstract 1232 Tract 1 B, 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 Southside II Water Transmission Main project (the “Project”);
- the land rights in the subject property are needed for the water transmission main improvements on the Southside II Water Transmission Main Project;
- 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, negotiations between the City of Fort Worth and the property owners, Akard Properties 2001, LLC, were unsuccessful due to inability to negotiate agreeable terms for the property interest being acquired by the City of Fort Worth; and

WHEREAS, on this 13th day of January, 2026, 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 .5018 acres of land in Permanent Easement and approximately 1.3336 acres for a Temporary Easement Acquisition from real property owned by Akard Properties 2001, LLC. The subject property is located at 11300 South Freeway, in the Phillips, James E. Survey, Abstract 1232 Tract 1 B, City of Fort Worth, Tarrant County, Texas. The land rights in the subject property are needed for the water transmission main improvements on the Southside II Water Transmission Main project.

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 Councilmember _____, 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 January, 2026.

ATTEST:

By: _____
Jannette S. Goodall, City Secretary