

City of Fort Worth, Texas

Mayor and Council Communication

DATE: 06/24/25 M&C FILE NUMBER: M&C 25-0622

LOG NAME: 21CONDEMN 103313 PARCELS 5-6-7 STORE CAPITAL

SUBJECT

(CD 3) Adopt Resolution Authorizing Condemnation by Eminent Domain to Acquire 0.0273 Acres in Right-of-Way Easement, 0.0046 Acres in Permanent Utility Easement and 0.2636 Acres in Temporary Construction Easement from Real Property Owned by STORE Capital Acquisitions LLC, Located at 5605 Locke Avenue in the J A Bowers Survey, Abstract No. 87, Part of Lot 18-R-2, Block 143, Chamberlin Heights First Filing, City of Fort Worth, Tarrant County, Texas, for the Camp Bowie and Horne Intersection Improvements 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 0.0273 acres in Right-of-Way Easement, 0.0046 acres in permanent utility easement and 0.2636 acres in temporary construction easement from real property owned by STORE Capital Acquisitions LLC, Located at 5605 Locke Avenue in the J A Bowers Survey, Abstract No. 87, Part of Lot 18-R-2, Block 143, Chamberlin Heights First Filing, City of Fort Worth, 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 and Horne Intersection Improvements project (City Project No. 103313);
3. Adopt the attached resolution authorizing the City of Fort Worth 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 the Camp Bowie and Horne Intersection Improvements project, a public use project that will enhance traffic flow and safety at the road intersection of Camp Bowie and Horne streets.

An independent appraisal established fair market value for the property interest (shown below) in the total amount of \$144,893.00. Negotiations were unsuccessful due to the inability to negotiate agreeable terms for the property interest being acquired by the City.

Upon approval, a condemnation action will be brought and a Special Commissioners' hearing held to acquire the property interest (shown below) on the property.

Parcel No.	Property Address / Legal Description	Acreage / Property Interest
5	5605 LOCKE AVENUE PART OF LOT 18-R-2, BLOCK 143 CHAMBERLIN ARLINGTON HEIGHTS FIRST FILING J.A. BOWERS SURVEY ABSTRACT NO. 87	0.0273 Acres Right-of-Way Easement
6	5605 LOCKE AVENUE PART OF LOT 18-R-2, BLOCK 143 CHAMBERLIN ARLINGTON HEIGHTS FIRST FILING J.A. BOWERS SURVEY ABSTRACT NO. 87	0.2636 Acres Temporary Construction Easement
	5605 LOCKE AVENUE	

Parcel No.	Property Address / Legal Description	Acreage / Property Interest
7	PART OF LOT 18-R-2, BLOCK 143 CHAMBERLIN ARLINGTON HEIGHTS FIRST FILING J.A. BOWERS SURVEY ABSTRACT NO. 87	0.0046 Acres Permanent Utility 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 0.0273 acres in right-of-way easement, 0.0046 acres in permanent utility easement, and 0.2636 acres in temporary construction easement from real property owned by STORE Capital Acquisitions LLC, located at 5605 Locke Avenue in the J A Bowers Survey, Abstract No. 87, Part of Lot 18-R-2, Block 143, Chamberlin Heights First Filing, City of Fort Worth, Tarrant County, Texas. The property is needed to enhance and improve the traffic flow and safety at the road intersection of Camp Bowie and Horne streets (City Project No 103313), a public use project that will reconfigure the intersection routing. 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 for the Camp Bowie and Horne Intersection Improvement project is depicted below:

Fund	Existing Funding	Additional Funding	Project Total
34027 – 2022 Bond Program	\$4,400,000.00		\$4,400,000.00
Total	\$4,400,000.00	\$0.00	\$4,400,000.00

This project is included in the 2022 Bond Program. The City's Extendable Commercial Paper (ECP) (M&C 22-0607; Ordinance 25675-08-2022) provides liquidity to support the appropriation. Available resources will be used to actually make any interim progress payments until debt is issued. Once debt associated with a project is sold, debt proceeds will reimburse the interim financing source in accordance with the statement expressing official Intent to Reimburse that was adopted as part of the ordinance canvassing the bond election (Ordinance 25515-05-2022).

Funding is budgeted in the 2022 Bond Program for the purpose of funding the Camp Bowie and Horne Intersection Improvement 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 Horne St project to support approval of the above recommendations and acquisitions 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: Valerie Washington 6199

Originating Business Unit Head: Marilyn Marvin 7708

Additional Information Contact: Jeremy Van Rite 2574