

# 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 \_\_\_\_\_, 20\_\_\_\_, in M&C \_\_\_\_\_, ordered and decreed that a public necessity existed to acquire 0.266 acres in permanent sewer easement and a total of 1.060 acres for temporary construction easements from improved property located south of the intersection of the south Loop 820 and Kennedale Parkway in the Oak Crest Addition, Block 10, Lots 4-6 and part of David Strickland Survey and Shelby County School Land Survey in 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 Lake Arlington Force Main and Lift Station Project (the “Project”);
- the land rights in the Property are needed for new sewer improvements as necessary;
- 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 owner, Jerry Coyel, were unsuccessful due the inability to negotiate agreeable terms for the property interest being acquired by the City of Fort Worth; and

**WHEREAS**, on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, 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 a total of 0.266 acres in permanent sewer easements and a total of 1.060 acres for temporary construction easements from improved property owned by Jerry Coyel. The property is needed for the Lake Arlington Lift Station and Force Main project, a public use that will construct public sewer improvements to increase the conveyance capacity necessary to handle projected growth within the Village Creek Wastewater Basin. The property is located in the Oak Crest Addition, Block 10, Lots 4 - 6, in the David Strickland Survey and Shelby County School Land Survey in the City of Kennedale,

Tarrant County, Texas. 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 \_\_\_\_\_, 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 \_\_\_\_\_ 20\_\_\_\_.

ATTEST:

By: \_\_\_\_\_  
Jannette S. Goodall, City Secretary