

# Mayor and Council Communication

**DATE:** 08/03/21

**M&C FILE NUMBER:** M&C 21-0518

**LOG NAME:** 06LITSEY CREEK COTTAGES VA-21-002

**SUBJECT**

(CD 7) Adopt Attached Ordinance Vacating an Unnamed Portion of Prescriptive Right-of-Way, to be Replatted with the Adjoining Property for the Litsey Creek Cottages Multifamily Development

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**RECOMMENDATION:**

It is recommended that the City Council:

1. Adopt the attached ordinance vacating an unnamed portion of prescriptive right-of-way, to be replatted with the adjoining property for the Litsey Creek Cottages multifamily development; and
  2. Waive any and all purchase fee value of the vacated land in accordance with City policy.
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**DISCUSSION:**

Kimley-Horn and Associates, Inc., on behalf of Republic Property Group, has requested vacation of this unnamed right-of-way to be replatted with the adjoining property for the Litsey Creek Cottages multifamily development. The City Plan Commission recommended approval of this request at its meeting on April 28, 2021. An acceptable final plat (FP-21-052) has been received in accordance with the Subdivision Ordinance.

The City of Fort Worth (City) originally obtained the above mentioned right-of-way through prescription. The City does not own any fee interest in the rights-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, Mayor and Council Communication (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:** D.J. Harrell 8032

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