

# Mayor and Council Communication

**DATE:** 06/27/23

**M&C FILE NUMBER:** M&C 23-0573

**LOG NAME:** 21FIRE STATION 16 LAND ACQUISITION

**SUBJECT**

(CD 3 and CD 6) Authorize Acquisition of a Fee Simple Interest in Approximately 0.8752 Acres Located in the Chamberlain Arlington Heights, First Filing, an Addition to the City of Fort Worth, Block 167, Lots A & B and Lots 5, 6, 7, 8, 9, 10, 11, 39 and 40, also Known as 5701, 5709, 5717, 5719 and 5721 Lovell Avenue and 5700 Curzon Avenue, Fort Worth, Tarrant County, Texas from M.L. Tierce, III and Lynda L. Tierce in the Amount of \$2,250,000.00 and Pay Estimated Closing Costs in an Amount Up to \$20,000.00 for a Total Cost of \$2,270,000.00 for Fire Station No. 16 (2022 Bond Program)

**RECOMMENDATION:**

It is recommended that the City Council:

1. Authorize acquisition of a fee simple interest in approximately 0.8752 acres located in the Chamberlain Arlington Heights, First Filing, an addition to the City of Fort Worth, Block 167, Lots A & B and Lots 5, 6, 7, 8, 9, 10, 11, 39 and 40, also known as 5701, 5709, 5717, 5719 and 5721 Lovell Avenue and 5700 Curzon Avenue, Fort Worth, Tarrant County, Texas from M.L. Tierce, III and Lynda L. Tierce in the amount of \$2,250,000.00 and pay estimated closing costs in an amount up to \$20,000.00 for a total cost of \$2,270,000.00 for Fire Station No. 16 (City Project No.104185); and
2. Authorize the City Manager or designee to execute the necessary contract of sale and purchase, to accept the conveyance, and to execute and record the appropriate instruments.

**DISCUSSION:**

The purpose of this Mayor and Council Communication is to seek approval to acquire land from M.L. Tierce, III and Lynda L. Tierce (Seller) for the construction of a new Fire Station No. 16 in Southwest Fort Worth.

The Property Management Department, in collaboration with the Fire Department, has determined the site located at 5701, 5709, 5717, 5719 and 5721 Lovell Avenue and 5700 Curzon Avenue, Fort Worth, Tarrant County, Texas will meet the Fire Department's operational objectives for the Southwest Division and will provide sufficient land to develop and construct Fire Station No. 16.

An appraisal of the property was prepared by an independent appraiser and a negotiated agreement has been reached with the Seller. The mineral estate will not be acquired and the deed will contain a surface waiver for the exploration of the mineral estate. The real estate taxes will be pro-rated with the Seller being responsible for taxes due up to the closing date. The City will pay the estimated closing costs in an amount up to \$20,000.00.

Upon City Council approval, Staff will proceed with acquiring the fee simple interest in the property excluding the mineral rights.

Property Ownership	Property Interest	Property Size	Property Address / Legal Description	Amount
M.L. Tierce III and Lynda L. Tierce	Fee Simple	+/- 0.8752 Acres	5701, 5709, 5717, 5719 and 5721 Lovell Avenue and 5700 Curzon Avenue, Fort Worth, Tarrant County, Texas Chamberlain Arlington Heights, First Filing, an Addition to the City of Fort Worth, Block 167, Lots A & B and Lots 5, 6, 7, 8, 9, 10, 11, 39 and 40	\$2,250,000.00
			Total Estimated Closing Costs	\$20,000.00
			<b>TOTAL</b>	<b>\$2,270,000.00</b>

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 Fire Department's 2022 Bond Program Fund for the purpose of funding the Fire Station 16 project, as appropriated.

This project is located in COUNCIL DISTRICTS 3 AND 6.

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 funds are available in the current capital budget, as previously appropriated, in the 2022 Bond Program Fund for the Fire Station 16 project to support the approval of the above recommendations and execution of the acquisition. Prior to an expenditure being incurred, the Property Management and Fire Departments have the responsibility to validate the availability of funds.

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