

Mayor and Council Communication

DATE: 03/10/26

M&C FILE NUMBER: M&C 26-0192

LOG NAME: 21CONDEMN 100836 P11 CANARY PROPERTIES LP 220 REDBIRD LANE

SUBJECT

(Near CD 7) Adopt Resolution Authorizing Condemnation by Eminent Domain to Acquire 0.654 Acres in Permanent Sanitary Sewer Easement and 0.192 Acres in Temporary Construction Easement from Real Property Owned by Canary Properties LP, Located at 220 Redbird Lane, Cornelius Connelly Survey, Abstract No. 319, Tarrant County, Texas, for the M199C Parallel SS Interceptor Project

RECOMMENDATION:

It is recommended that the City Council:

1. Declare that negotiations between the City of Fort Worth and the property owner to acquire 0.654 acres in permanent sanitary sewer easement and 0.192 acres in temporary construction easement from real property owned by Canary Properties LP, located at 220 Redbird Lane, in the Cornelius Connelly Survey, Abstract No. 319, 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 M199C Parallel SS Interceptor project (City Project No. 100836);
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 property interest is needed for a public use, the construction of the M199C Parallel SS Interceptor project, for easements to construct a 48-inch diameter relief sewer main parallel to the existing 30-inch diameter sewer main on the west side of Fort Worth. The existing 30-inch diameter sewer main is inadequately sized to convey sewage flow from new development and growth on the west side of Fort Worth. The easement is needed for the construction, operation, and maintenance of the sewer main.

An independent appraisal established fair market value for the property interest (shown below) in the total amount of \$175,024.00. 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 permanent sanitary sewer easement interest on the property.

Improved Subject Property

Parcel No.	Legal Description	Acreage / Property Interest
11	Cornelius Connelly Survey, Abstract No. 319	0.654 Acres / Permanent Sanitary Sewer Easement, 0.192 Acres/Temporary Construction Easement

Funding is budgeted in the Water & Sewer Bond 2020A Fund for the Water Department for the purpose of funding the M199C Parallel SS Interceptor project, as appropriated.

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 0.654 acres in permanent sanitary sewer easement and 0.192 acres in temporary construction easement from real property owned by Canary Properties LP. The property interest is needed for a public use, the M199C Parallel SS Interceptor project, for easements to construct a relief sewer main. The property is located at 220 Redbird Lane in the Cornelius Connelly Survey, Tract No. 319, 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."

This property is located near COUNCIL DISTRICT 7.

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 Water & Sewer Bond 2020A Fund for the M199C Parallel SS Interceptor project to support the approval of the above recommendations and the acquisition of land. Prior to any expenditure being incurred, the Water Department has the responsibility to validate the availability of funds.

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