

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 0.666 acres in permanent sewer easement, and 2.143 acres for a temporary construction easement from real property located 3501 South Cravens Road, 3400 Quail Road, and 6200 Dowdell Road in the Lots 1B 2B1 3B1 NPT 6 & 10B 11B 12B 13B 8A 8B 9A 9B, Block 4, and Lots 14A 15A & 16A, Block 6, Handley Heights Addition, 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 (the “Project”);
- the land rights in the Property are needed for new sewer improvements;
- 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, Keith Kidwell and Samuel Gibbins, 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 0.666 acres in permanent sewer and 2.143 acres for temporary construction easement from real property owned by Keith Kidwill and Samuel Gibbins. The property is needed for the Lake Arlington Force Main and Lift Station Project, a public use that will increase conveyance capacity necessary to handle projected growth within the Village Creek Wastewater Basin. The land rights in the subject property are needed for improvements as necessary. The property is located 3501 South Cravens Road, 3400 Quail Road, and 6200 Dowdell Road in the Lots 1B 2B1 3B1 NPT 6 & 10B

11B 12B 13B 8A 8B 9A 9B, Block 4, and Lots 14A 15A & 16A, Block 6, Handley Heights Addition, 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