

Mayor and Council Communication

M&C FILE NUMBER: M&C 24-0285

SUBJECT

RECOMMENDATION:

1. Declare that negotiations between the City of Fort Worth and the property owner to acquire 0.0036 acres in permanent sanitary sewer facility easement from real property owned by Phon Oeur and Chhon Dith, located at 3501 5th Avenue, in the Silver Lake Addition, Block 21, Lot D, Tarrant County, Texas, were unsuccessful due to the inability to establish ownership;
2. Declare the necessity to acquire the described property interest for the Sanitary Sewer Rehabilitation Contract 118 project (City Project No. 102789);
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.

Upon approval, a condemnation action will be brought and a Special Commissioners' hearing held to acquire the permanent sewer easement interest on the property.

| Improved Subject Property | | |
|---------------------------|---------------------------------------------------------------------------|--------------------------------------------------|
| Parcel No. | Legal Description | Acreage / Property Interest |
| 20 | Silver Lake Addition, Block 21, Lot D, City of Fort Worth, Tarrant County | 0.0036 Acres / Permanent Sewer Facility Easement |

A Form 1295 is not required because: This M&C does not request approval of a contract with a business entity.

The Director of Finance certifies that funds are available in the current capital budget, as previously appropriated, in the W&S Capital Projects

Fund for the S S Rehab Contract 118 project to support the approval of the above recommendations and acquisition of the easement. Prior to any expenditure being incurred, the Water and Property Management Departments have the responsibility to validate the availability of funds.

Submitted for City Manager's Office by: Dana Burghdoff 8018

Originating Business Unit Head: Ricardo Salazar 8379

Additional Information Contact:

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