

# Mayor and Council Communication

DATE: 04/09/24

M&C FILE NUMBER: M&C 24-0305

LOG NAME: 80TOEC\_2NEIGH\_PARKS

## **SUBJECT**

(CD 10) Accept Dedication of Approximately 1.916 Acres of Land and Facility Improvements in North Fort Worth from Forestar (USA) Real Estate Group, Inc. for Morden Park and Gillespie Park and Authorize a Waiver of the Neighborhood and Community Park Dedication Policy to Accept a Special Warranty Deed

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## **RECOMMENDATION:**

It is recommended that the City Council:

1. Accept the dedication of approximately 1.916 acres of land and facility improvements from Forestar (USA) Real Estate Group, Inc.; and
2. Authorize a waiver of the Neighborhood and Community Park Dedication Policy to allow for the acceptance of a Special Warranty Deed.

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## **DISCUSSION:**

The purpose of this Mayor and Council Communication (M&C) is to accept the dedication of parkland and facility improvements for the creation of two new neighborhood parks in north Fort Worth in accordance with the *Neighborhood and Community Park Dedication Policy*. The 1.916 acres of land is required for the ongoing development of the Trails of Elizabeth Creek subdivision development project under Preliminary Plat No. PP-16-062 and Final Plat Nos. FP-21-034 and FP-21-081.

The legal descriptions are as follows:

- Morden Park: Being 0.949 acres of land being all of Lot 1X, Block 55, Trails of Elizabeth Creek, Phase 8, an addition to the City of Fort Worth, Denton County, Texas as filed in Instrument No. 2021-272, Plat Records, Denton County, Texas.
- Gillespie Park: Being 0.967 acres of land being all of Lot 1X, Block 26, Trails of Elizabeth Creek, Phase 3, an addition to the City of Fort Worth, Denton County, Texas as filed in Instrument No. 2021-459, Plat Records, Denton County, Texas.

The estimated value of the land is \$33,384.38 (\$0.40 per square foot).

The subdivision developer has agreed to enter into an Adopt-A-Park Agreement for mowing, litter removal services, and installation and maintenance of an irrigation system, as well as the planting, replacement and maintenance of new trees and plantings. The City will be responsible for the maintenance of the constructed amenities and the tree canopy.

The Neighborhood and Community Park Dedication Policy, Section VI. E, requires park property be conveyed by general warranty deed along with documentation indicating the property owner has clear title to the property and the legal ability to deliver the title to the City of Fort Worth. The property owner submitted a special warranty deed along with a title commitment for title insurance. Staff requests a waiver of the general warranty deed requirement and acceptance of the parkland and constructed facility improvements with a special warranty deed.

As of February 2024, the cumulative total of all previously approved M&Cs increased the department's acreage by an estimated 147.2211 acres and estimated annual maintenance by \$73,124.00 beginning in Fiscal Year (FY) 2025.

Morden Park is estimated to increase the department's acreage by 0.949 acres and annual maintenance by \$6,332.00 beginning in FY2025.

Gillespie Park is estimated to increase the department's acreage by 0.967 acres and annual maintenance by \$9,332.00 beginning in FY2025.

The two parks are located south of Highway 114 and along Blackhorse Trail and Morden Lane and Blackhorse Trail and Charing Cross Road, east of Burlington Northern Santa Fe Railway and west of Blue Mound Road in the Trails of Elizabeth Creek subdivision.

The parkland is located in COUNCIL DISTRICT 10.

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 the financial records of the City will be updated to reflect these dedications based upon the Capital Asset Policy contained within the Financial Management Policy Statements and that approval of these above recommendations will not result in additional appropriations in the Fiscal Year 2024 Budget.

**Submitted for City Manager's Office by:**    Jessica L. McEachern    5804

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