



## CITY COUNCIL MEMORANDUM

**From:** The Office of the City Manager

**Date:** May 15, 2017

**Subject:** Consideration of the use of eminent domain to acquire property for a public use, such being a right of way for widening of the Davis/Mid-Cities Boulevard intersection - Resolution No. 2017-026.

**Presenter:** Mike Curtis, Managing Director

**Summary:**

Council is being asked to authorize eminent domain for the acquisition of one parcel needed for the Davis/Mid-Cities Boulevard Intersection Improvement Project.

**General Description:**

The Davis/Mid-Cities Boulevard Intersection Improvement Project consists of adding additional left turn lanes at all four legs of the intersection and adding and/or lengthening the right turn lanes located on Davis Boulevard. Adding the additional lanes will result in the intersection needing to be wider than it is today. In order to construct this proposed wider section, approximately 12.5' of additional right-of-way (ROW) will be needed along the Mid-Cities portion of Parcel 3 as shown in the attached Exhibit A.

The City received authorization from TxDOT to begin the right-of-way process in December 2015. Tarrant County right-of-way staff has been assisting the city to acquire the right-of-way. The appraisals were prepared and reviewed by September 2016 and acquisition began. For one of the parcels needed (Parcel 3) the property owner has requested to go through the eminent domain process. The property owner has indicated that he does not have an issue with the offer; he has said that because of the number of parties involved with the property it would be easier for him to keep the transitions straight by going through this process. The required ROW is a strip of land located along the Mid-Cities frontage and does not involve any commercial structures on the property.

To follow all statutory prerequisites, the motion on this item will need to state that eminent domain is being authorized for a stated public purpose and also to describe the property being acquired in detail sufficient for a deed.

**Recommendation:**

To authorize the use of eminent domain using the motion as provided below:

I move that the City of North Richland Hills pass Resolution No. 2017-026 and authorize the use of the power of eminent domain to acquire for public roadway purposes, a public use, property known and described as follows:



THENCE S 00°22' 37" E 12.05 feet, along the East boundary line of said Lot 1, Block 1, E-SYSTEMS ADDITION, and the West boundary line of said Lot 1, Block 1, Pavilion Park, to a PK nail found at the Southeast corner of aforesaid Lot 1, Block 1, E-SYSTEMS ADDITION, lying in the existing North right-of-way line of Mid-Cities Blvd., being located at right angles to and 60.00 feet North of Highway Centerline Station 92+65.43;

THENCE SOUTHWESTERLY 146.60 feet, along the South boundary line of said Lot 1, Block 1, and the existing North right-of-way line of Mid-Cities Blvd. with a curve to the Left having a radius of 2924.78 feet, a central angle of 02° 52' 18", and a chord bearing S 89° 44' 23" W 146.58 feet, to an "X" cut in concrete found at the most Southerly Southwest corner of aforesaid Lot 1, Block 1, being located at right angles to and 60.00 feet North of Highway Centerline Station 91 +21.85;

THENCE N 38° 19' 43" W 17.11 feet, along the Southwest boundary line of said Lot 1, Block 1, and the North right-of-way line of Mid-Cities Blvd., to a ½" iron rod marked "Brittain & Crawford" set, in the new North right-of-way line of Mid-Cities Blvd., being located at right angles to and 73.75 feet North of Highway Centerline Station 91+11.89;\*\*

THENCE SOUTHEASTERLY 14.37 feet,. along the new North right-of-way line of Mid-Cities Blvd. with a curve to the Left having a radius of 85.00 feet, a central angle of 09° 41' 13", and a chord bearing S 86g 46' 22" E 14.35 feet, to a ½" iron rod marked "Brittain & Crawford" set, at the end of said curve and the beginning of another curve to the Right, being located at right angle to and 72.50 feet North of Highway Centerline Station 91+25.84;\*\*

THENCE NORTHEASTERLY 118.92 feet, along the new North right-of-way line of Mid-Cities Blvd. with said curve to the Right having a radius of 2937.28 feet, a central angle of 02° 19' 11 " , and a chord bearing N 89° 32' 36" E 118. 91 feet, to a ½" iron rod marked "Brittain & Crawford" set, at the end of said curve to the Right and the beginning of another curve to the Right, being located at Right angles to and 72.50 feet North of Highway Centerline Station 92+41.82;\*\*

THENCE SOUTHEASTERLY 23.89 feet, continuing along the new North right-of-way line of Mid-Cities Blvd., with said curve to the Right having a radius of 515.00 feet, a central angle of 02° 39' 28", and a chord bearing S 87° 58' 04fl E 23.89 feet, to the POINT OF BEGINNING containing 0.0435 acre (1,894 square feet) of land.