

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARROLLTON, TEXAS, AUTHORIZING THE EXECUTION OF DOCUMENTS FOR THE ACQUISITION OF CERTAIN PROPERTY RIGHTS NECESSARY FOR THE CONSTRUCTION OF FURNEAUX CREEK HIKE AND BIKE TRAIL LOCATED IN THE CITY OF CARROLLTON; DECLARING A PUBLIC NEED AND NECESSITY; AUTHORIZING THE CITY MANAGER OF THE CITY OF CARROLLTON TO TAKE ALL NECESSARY ACTION FOR THE ACQUISITION OF CERTAIN PROPERTY RIGHTS FOR PUBLIC PURPOSES; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City Council of the City of Carrollton, Texas, has determined that a public need and necessity exists for the construction of the Furneaux Creek Hike and Bike Trail, which is a public use trail;

**WHEREAS**, the construction of this public project that is part of the Furneaux Creek Hike and Bike Trail project will require the acquisition of certain property interests including easements and right-of-way; and

**WHEREAS**, the City Council has considered this project and has determined that a public need and necessity exists for this project and that this project is necessary and in the best interests of the residents of the City of Carrollton.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CARROLLTON, TEXAS, THAT:**

**SECTION 1.**

All of the above premises are true and correct legislative and factual findings of the City Council, and they are hereby approved, ratified and incorporated into the body of this resolution as if copied in their entirety.

**SECTION 2.**

The City Council hereby finds and determines that a public need and necessity exists for the City of Carrollton to acquire the necessary property rights for the construction and use of a public access trail, and other public uses incidental thereto, in those certain tracts of land necessary to complete the Furneaux Creek Hike and Bike Trail Project.

**SECTION 3.**

The City Council hereby authorizes the City Manager to determine value of certain property rights, to negotiate compensation for such rights, and to execute documents, as needed, to acquire necessary property rights to complete construction of the Furneaux Creek Hike and Bike Trail Project.

**SECTION 4.**

The City Manager, or her designee, is authorized and directed to do each and every act necessary to acquire the needed property rights for the Furneaux Creek Hike and Bike Trail Project and to effectuate the intent and purposes of this resolution in compliance with State and Federal law.

**SECTION 5.**

This resolution shall take effect immediately from and after its passage.

**DULY PASSED AND APPROVED** by the City Council of the City of Carrollton, Texas, this 22<sup>th</sup> day of January, 2019

**CITY OF CARROLLTON, TEXAS**

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Kevin W. Falconer, Mayor

**ATTEST:**

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Laurie Garber, City Secretary

**APPROVED AS TO FORM:**

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Susan Keller, Assistant City Attorney

**APPROVED AS TO CONTENT:**

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Cesar Molina, Director of Engineering