



City of Denton

City Hall
215 E. McKinney Street
Denton, Texas
www.cityofdenton.com

AGENDA INFORMATION SHEET

DEPARTMENT: Development Services, Real Estate

DCM: Cassandra Ogden

DATE: October 21, 2025

SUBJECT

Consider adoption of an ordinance of the City of Denton providing for the abandonment, relinquishment, and quitclaim of a portion of various (I) permanent water easements (II) permanent wastewater easements, and (III) permanent electric easements, generally located along Interstate 35E, east of Loop 288, situated in the John McGowan Survey - Abstract No. 797; the Gideon Walker Survey - Abstract No. 1330, the Memphis, El Paso and Pacific Railroad Company Survey - Abstract No. 950, the Daniel Lombard Survey - Abstract No. 784, and the J. Worrall Survey - Abstract No. 1433, all in the City and County of Denton, Texas, and more particularly described in the attached Exhibit "A" (collectively, the "Property Interests") to be recorded by Denton County Clerk, Real Property Records, Denton County, Texas granted to the State of Texas Department of Transportation ("TxDOT") by the City of Denton; providing for the quitclaim thereof to TxDOT, providing for the terms and conditions of the abandonment, relinquishment, and quitclaim made herein; providing for the conveyance of easements to the TxDOT providing for the indemnification of the City of Denton against damages arising out of the abandonment herein; providing for consideration to be paid to the City of Denton; providing for severability and an effective date.

BACKGROUND

The TxDOT right-of-way expansion and improvement project, CSJ 0196-01-109, requires the relocation of existing City water, wastewater and electric infrastructure from its current location along the IH-35E frontage road into new easements. The costs to acquire new easements and to relocate the facilities are eligible for State reimbursement authorized by the reimbursement agreement(s) approved by the City Council on January 14, 2020.

On May 4, 2021, the City Council approved Ordinance No. 21-717 authorizing the City Manager and City Attorney, or their respective designees, to acquire property interests by agreement if possible, including making all offers required by law; authorizing the use of the power of eminent domain to condemn the property interest if agreement cannot be reached. All easements in this phase of the project have been acquired.

Prior to issuing the reimbursements for the relocated and no longer needed easements as authorized by the Agreement, TxDOT requires that the City quitclaim, abandon and release its interests in the newly acquired TxDOT right-of-way along I-35. Kimley-Horn and Associates, Inc. has identified thirty-two (32) easement interests to be abandoned and quit claimed. Approval of this item will authorize the quitclaim to TxDOT, thereby fulfilling the State's reimbursement requirement.

If a Council member determines that he or she has a conflict of interest pursuant to the Ethics Ordinance, he or she may contact the City Attorney's Office to have a Recusal Form prepared prior to consideration of this agenda item.

OPTIONS

1. Approve proposed ordinance
2. Decline to approve proposed ordinance
3. Table for future consideration.

RECOMMENDATION

Staff recommends adoption of the Ordinance.

ESTIMATED SCHEDULE OF PROJECT

Fall of 2025

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

Ordinance No. 20-040, January 14, 2020

Ordinance No. 21-019, January 12, 2021

Ordinance No. 21-717, May 4, 2021

Ordinance No. 21-1528 August 3, 2021

Ordinance No. 22-2391, November 15, 2022

Ordinance No. 24-1123, June 18, 2024

FISCAL INFORMATION

N/A

EXHIBITS

Exhibit 1 - Agenda Information Sheet

Exhibit 2 - Vesting Deed

Exhibit 3 - Location Map

Exhibit 4 - Ordinance

Respectfully submitted:
Deanna Cody, Deputy Director
Development Services-Real Estate

Prepared by:
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