



City of Denton

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

AGENDA INFORMATION SHEET

DEPARTMENT: Development Services, Real Estate

ICM/DCM/ACM: Kenneth Hedges

DATE: July 21, 2026

SUBJECT

Consider adoption of an ordinance of the City of Denton providing for the abandonment, relinquishment, and quitclaim of a portion of various permanent water lines, generally located along IH35E from FM1173 to Loop 288, and along US 77, situated in the Nathan Wade Survey Abstract No. 1407, BBB & C RR Co. Survey Abstract No. 141, 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. (Project Number 630519525 Northwest Water Transmission Line Improvement Project)

BACKGROUND

The TxDOT right-of-way expansion and improvement project, generally located along IH-35E from FM1173 to Loop 288, and along US 77, requires the relocation of existing City water, wastewater and electric infrastructure from its current location along the IH-35N frontage road into new easements. Construction of the Northwest Water Transmission Line Improvement Project completed in the 4th Quarter of 2024. 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 February 15, 2022.

On February 2, 2022, the City Council approved Ordinance No. 22-181 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, and 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.

Current Consideration: Prior to issuing the reimbursements for the relocated and no longer needed easements as authorized by the Agreement, TxDOT requires the City quitclaim, abandon, and release its interests in the newly acquired TxDOT right-of-way along IH-35E. Kimley-Horn and Associates, Inc. has identified two (2) 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 and allowing the City to receive the reimbursement.

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.

RECOMMENDATION

Staff recommends adoption of the Ordinance.

ESTIMATED SCHEDULE OF PROJECT

Construction of the Northwest Water Transmission Main Booster Station Project is complete.

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

May 21, 2018, Public Utilities Board No. PUB18-082

June 5, 2018, City Council approved Ordinance No. 18-331

January 14, 2020, City Council approved Ordinance No. 19-2973

February 15, 2022, City Council approved Ordinance No. 22-181

FISCAL INFORMATION

N/A

EXHIBITS

Exhibit 1 - Agenda Information Sheet

Exhibit 2 - Quitclaim Deed

Exhibit 3 - Location Map

Exhibit 4 - Ordinance

Respectfully submitted:
Captoria Brown
Senior Real Estate Specialist