

PARKS AND WILDLIFE CODE

TITLE 3. PARKS

CHAPTER 26. PROTECTION OF PUBLIC PARKS AND RECREATIONAL LANDS

Sec. 26.001. PROTECTED LAND; NOTICE OF TAKING. (a) A department, agency, political subdivision, county, or municipality of this state may not approve any program or project that requires the use or taking of any public land designated and used prior to the arrangement of the program or project as a park, recreation area, scientific area, wildlife refuge, or historic site, unless the department, agency, political subdivision, county, or municipality, acting through its duly authorized governing body or officer, determines that:

(1) there is no feasible and prudent alternative to the use or taking of such land; and

(2) the program or project includes all reasonable planning to minimize harm to the land, as a park, recreation area, scientific area, wildlife refuge, or historic site, resulting from the use or taking.

(b) A finding required by Subsection (a) of this section may be made only after notice and a hearing as required by this chapter.

(c) The governing body or officer shall consider clearly enunciated local preferences, and the provisions of this chapter do not constitute a mandatory prohibition against the use of the area if the findings are made that justify the approval of a program or project.

Added by Acts 1983, 68th Leg., p. 1035, ch. 235, art. 6, Sec. 2(a), eff. Sept. 1, 1983.

Sec. 26.002. NOTICE OF HEARING. (a) When any program or project requires notice and a public hearing before approval, the notice must be given in writing to the person, organization, department, or agency that has supervision of the land proposed to be used or taken.

(b) The notice must state clearly the proposed program or project and the date and place for the public hearing. The notice must be given at least 30 days before the date for the public hearing.

(c) Notice must also be given to the public by publishing a notice similar to that specified in this section once a week for three consecutive weeks. The last days of publication must not be less than one week or more than two weeks before the date of the hearing. The notice must be published in a newspaper of general circulation, which paper must be published at least six days a week in the county where the land proposed to be used or taken is situated.

(d) If there is no newspaper that qualifies under Subsection (c) of this section, the notice must be published in a qualifying newspaper that is published in any county adjoining the county where the land is situated. If there is no qualifying newspaper published in any adjoining county, then the notice must be published in a qualifying newspaper published in the nearest county to the county where the land is situated. If there is no qualifying daily newspaper published therein, the notice must be published in any newspaper of general circulation published in the political subdivision affected. If no newspaper is published in the political subdivision, the notice must be published in a newspaper published in the political subdivision nearest the political subdivision affected.

Added by Acts 1983, 68th Leg., p. 1035, ch. 235, art. 6, Sec. 2(a), eff. Sept. 1, 1983.

Sec. 26.003. LIMITATIONS ON JUDICIAL REVIEW. A petition for the judicial review of the approval or disapproval of a program or project under this chapter must be filed within 30 days after the approval or disapproval is announced, or the review is barred.

Added by Acts 1983, 68th Leg., p. 1035, ch. 235, art. 6, Sec. 2(a), eff. Sept. 1, 1983.

Sec. 26.004. EXCLUDED LANDS. A department, agency, board, or political subdivision having control of the public land is not required to comply with this chapter if:

(1) the land is originally obtained and designated for another public use and is temporarily used as a park, recreation area, or

wildlife refuge pending its use for the originally designated purpose;

(2) the program or project that requires the use or taking of the land being used temporarily as a park, recreation area, or wildlife refuge is the same program or project for which the land was originally obtained and designated; and

(3) the land has not been designated by the department, agency, political subdivision, county, or municipality for use as a park, recreation area, or wildlife refuge before September 1, 1975.

Added by Acts 1983, 68th Leg., p. 1035, ch. 235, art. 6, Sec. 2(a), eff. Sept. 1, 1983.

UNITE, GROW,



Denton Parks and Recreation

CITY OF DENTON

Public Meeting

DEVELOPMENT
SERVICES
BUILDING

Thurs.
9/25
6PM

401
North
Elm

TOPIC:

CITY OF DENTON / DENTON ISD
LAND EXCHANGE AT SOUTH
LAKES PARK AND OLD
CALHOUN MIDDLE SCHOOL

LEARN MORE:

AND GIVE
STAFF YOUR
VALUABLE
INPUT!

PARКСNREC@CITYOFDENTON.COM

8/1/2025 • ADA/EOE/ADEA • TDD (800) 735-2989 • WWW.CITYOFDENTON.COM

Courtesy Notice of Public Meeting

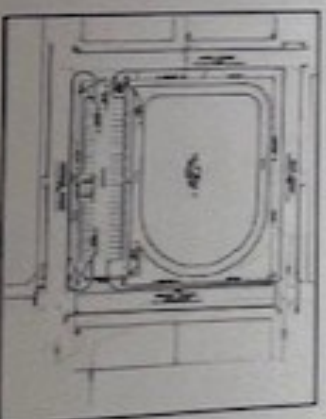
Meeting Date: October 9 at 6:00 PM

Location: Development Service Center

Address: 401 N. Elm St., Denton, TX 76201

This is a notice of an upcoming public meeting regarding a land swap between the City of Denton and Denton ISD. You are being notified because you are within 500 feet of the area.

City of Denton and Denton ISD are considering exchanging parcels of land where the Old Calhoun Track and Field and Tennis Courts are located, in exchange for land currently located within South Lakes Park, being used for McMath's Track and Field. This exchange would provide important parkland access in the center of Denton near old Calhoun Middle School and would provide Denton ISD with full control and ownership over McMath's Track and Field, which has upcoming improvements. For more information, Contact Parks and Recreation Staff at (940) 349-7275 or Ziad.Kharrat@cityofdenton.com.



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Denton Record-Chronicle
2413 Fort Worth Dr
(940) 387-7755

I, Edmar Corachia, of lawful age, being duly sworn upon oath depose and say that I am an agent of Column Software, PBC, duly appointed and authorized agent of the Publisher of Denton Record-Chronicle, a publication that is a "legal newspaper" as that phrase is defined for the city of Denton, for the County of Denton, in the state of Texas, that this affidavit is Page 1 of 1 with the full text of the sworn-to notice set forth on the pages that follow, and that the attachment hereto contains the correct copy of what was published in said legal newspaper in consecutive issues on the following dates:

PUBLICATION DATES:

Sep. 20, 2025

Sep. 27, 2025

Oct. 4, 2025

Oct. 11, 2025

Notice ID: ktvMhovrcDNGzPUZ242I

Notice Name: Chapter 26 TPWD Notice of Public Hearing

PUBLICATION FEE: \$162.96

I declare under penalty of perjury that the foregoing is true and correct.

Edmar Corachia

Agent

VERIFICATION

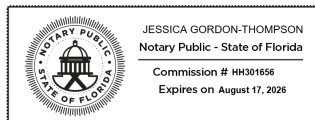
State of Florida
County of Orange

Signed or attested before me on this: 10/13/2025

J. Thompson

Notary Public

Notarized remotely online using communication technology via Proof.



Chapter 26 Notification
Land exchange of DISD property
at Calhoun Middle School for
City Park land at South Lakes
Park.

In accordance with Chapter 26 of the Texas Parks and Wildlife Code, the City of Denton Parks and Recreation Department invites the public to consider the following at a public hearing:

1. The adoption of an Ordinance granting the exchange of 3.433 acres of DISD property for 9.400 acres of City Park land for the purpose of recreation facility improvements. DISD will be building a new outdoor track and the City anticipates developing a neighborhood park at a point in time to be determined.

The City Council of the City of Denton will hold a public hearing to consider the transaction on **Tuesday October 21, 2025, at 12:00 p.m.** in the Denton Development Services Center located at **401 N. Main Street, Denton, TX 76201.**

For more information, please contact Ziad Kharrat, Assistant Director of Park Planning & Operations at (940) 349-7464 or by email at ziad.kharrat@cityofdenton.com.

drc 09/20/2025, 09/27/2025,
10/04/2025, 10/11/2025