



## MEMORANDUM

**DATE:** December 26, 2024  
**TO:** Membership of the Public Utilities Board  
**FROM:** Angel DeLory, Senior Real Estate Specialist, Development Services - Real Estate  
**SUBJECT:** Purchase of 3 Sanitary Sewer Easements Just East of Precision Dr. on FM 1515 (Airport Road)

On December 17, the City Council approved Ordinance No. 24-2189, authorizing the City Manager to proceed with acquiring three permanent sanitary sewer easements. These easements are located east of Precision Drive on Airport Road in Denton, Texas.

The Texas Department of Transportation (“TXDOT”) FM 1515 16 Waterline Relocation Project requires the relocation of City sanitary sewer infrastructure from TXDOT’s right-of-way into new easements. The relocation is a result of TxDOT’s planned widening of FM 1515 (Airport Road), which requires existing City easements to be moved to accommodate the expanded roadway.

To initiate the process, the City has distributed project information letters to the owners of the three affected parcels. Offers to acquire the necessary easements will follow shortly.

Given TxDOT’s strict timeline for vacating the current easements, the City prioritized securing the ordinance to ensure timely infrastructure relocation. The Real Estate Department received the signed ordinance from the Legal Department just prior to the December 17th Council meeting. Due to the urgency of the matter, this item was presented to the City Council without prior review by the Public Utilities Board (PUB).

Submitted by:  
Angel DeLory, Senior Real Estate Specialist  
Development Services-Real Estate

Department Contact:  
Angel DeLory, Senior Real Estate Specialist Development Services-Real Estate, 940-349-8931  
Deanna Cody, Deputy Director of Development Services-Real Estate 940-349-8252

### OUR CORE VALUES

Integrity • Fiscal Responsibility • Transparency • Outstanding Customer Service



# City of Denton

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

---

## AGENDA INFORMATION SHEET

**DEPARTMENT:** Development Services, Real Estate

**ACM:** Cassandra Ogden

**DATE:** November 9, 2024

### **SUBJECT**

Consider adoption of an ordinance of the City of Denton determining the public use, need, and necessity for the acquisition of permanent sanitary sewer easements, generally located east of Precision Drive on Airport Road, situated in the Eugene Puchalski Survey, Abstract No. 996, all in the City and County of Denton, Texas, and more particularly described in the attached Exhibit "A" (collectively, the "property interest"); authorizing the City Manager and City Attorney to acquire the Property Interest by agreement if possible, including making all offers required by law; authorizing the use of the power of eminent domain to condemn the property interests if agreement cannot be reached; authorizing the City Attorney to file eminent domain proceedings if necessary; authorizing the expenditure of funding; making findings; providing a savings clause; and providing an effective date.

### **BACKGROUND**

The TxDOT project to widen FM 1515 (Airport Road) necessitates the relocation of existing City sanitary sewer infrastructure from their current locations into new easements. The City's TxDOT FM 1515 16 Waterline Relocation project ("The Project") requires the purchase of new easements to accommodate the construction, installation, operation, and maintenance of the relocated infrastructure. Easements included: (i) 0.010-acre tract owned by Stevenson Properties Denton Texas, LLC, CAD #: 1021573, (ii) 0.010-acre tract owned by NM CLFX LP, CAD #: 668373, and (iii) 0.028-acre tract owned by University of North Texas, CAD #: 36715, all situated in the Eugene Puchalski Survey, Abstract No. 996, City of Denton, Denton County, Texas. Costs to acquire new easements and to relocate the facilities are eligible for State reimbursement.

In the event negotiation efforts fail and an impasse is reached, in order to avoid project delay, the approval of this ordinance will authorize the City Manager and the City Attorney to acquire the necessary Property Interests by agreement, if possible, including making all offers required by law, and if an agreement cannot be reached, via the exercise of eminent domain, with the landowners being compensated in accordance with state law.

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 proposed ordinance.

**RECOMMENDATION**

Staff recommends approval of the ordinance.

**ESTIMATED SCHEDULE OF PROJECT**

Construction is scheduled to commence by April 2025.

**PRIOR ACTION/REVIEW (Council, Boards, Commissions)**

None.

**FISCAL INFORMATION**

The purchase of the Property Interests will be funded from Capital Projects account 630511523.1360.30200, then reimbursed with TxDOT funds.

**EXHIBITS**

- Exhibit 1 – Agenda Information Sheet
- Exhibit 2 – Ordinance
- Exhibit 3 – Recommended Motion
- Exhibit 4 – Location Map

Respectfully submitted:  
Angel DeLory, Senior Real Estate Specialist  
Development Services-Real Estate

ORDINANCE NO. 24-2189

AN ORDINANCE OF THE CITY OF DENTON DETERMINING THE PUBLIC USE, NEED, AND NECESSITY FOR THE ACQUISITION OF PERMANENT SANITARY SEWER EASEMENTS, GENERALLY LOCATED EAST OF PRECISION DRIVE ON AIRPORT ROAD, SITUATED IN THE EUGENE PUCHALSKI SURVEY, ABSTRACT NO. 996, ALL IN THE CITY AND COUNTY OF DENTON, TEXAS, AND MORE PARTICULARLY DESCRIBED IN THE ATTACHED EXHIBIT "A" (COLLECTIVELY, THE "PROPERTY INTEREST"); AUTHORIZING THE CITY MANAGER AND CITY ATTORNEY TO ACQUIRE THE PROPERTY INTEREST BY AGREEMENT IF POSSIBLE, INCLUDING MAKING ALL OFFERS REQUIRED BY LAW; AUTHORIZING THE USE OF THE POWER OF EMINENT DOMAIN TO CONDEMN THE PROPERTY INTERESTS IF AGREEMENT CANNOT BE REACHED; AUTHORIZING THE CITY ATTORNEY TO FILE EMINENT DOMAIN PROCEEDINGS IF NECESSARY; AUTHORIZING THE EXPENDITURE OF FUNDING; MAKING FINDINGS; PROVIDING A SAVINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, The Texas Department of Transportation ("TXDOT") FM 1515 16 Waterline Relocation Project, located East of Precision Drive on Airport Road requires the relocation of City water and wastewater facilities out of the new TXDOT right of way into new easements ; and

WHEREAS, the City Council of the City of Denton ("City Council") after consideration of this matter, has determined that a public use and necessity exists for, and that the public welfare and convenience requires, the acquisition of the Property Interests, comprised of various permanent sanitary sewer easements, by the City of Denton ("City"). The City Council finds that the acquisition of the Property Interests is a valid public use necessary to provide for the water and wastewater easements East of the intersection of Precision Drive and Airport Road for the relocation of City water and wastewater infrastructure (TXDOT FM 1515 16 Waterline Relocation project) located in the City of Denton, all for the public safety and welfare (collectively, the "Project"), to serve the public and the citizens of the City; and

WHEREAS, the acquisition of the Property Interests identified in Exhibit "A" is necessary in furtherance of the Project; and

WHEREAS, the City is required to make an initial offer as defined by, and in compliance with, Texas Property Code §21.0111 ("Initial Offer"), and a bona fide offer as defined by, and in compliance with, Texas Property Code §21.0113 ("Final Offer") to acquire the Property Interests for public use, voluntarily, from the subject landowners before beginning the acquisition of the Property Interests by eminent domain; and

WHEREAS, independent professional appraisal reports of the Property Interests will be submitted to the City as required by Chapter 21 of the Texas Property Code, and the City Manager or their designee will establish a certain amount determined to be just compensation for the individual Property Interests based on the appraisals and fair market values of the Property Interests and any applicable fees necessary to acquire the Property Interests; and

WHEREAS, the City Council deems it necessary to authorize the City Attorney to initiate condemnation proceedings in order to acquire the Property Interests if an agreement cannot be reached with the subject landowners for the purchase of the Property Interests; NOW, THEREFORE,

THE COUNCIL OF THE CITY OF DENTON ORDAINS:

SECTION 1. The City Council finds that the recitals made in the preamble of this Ordinance are true and correct and incorporates such recitals into the body of this ordinance as if copied in their entirety.

SECTION 2. The City Council authorizes acquisition of the Property Interests, as more particularly described in the attached Exhibit "A," for the reasons and purposes set forth above together with all necessary appurtenances, additions, and improvements on, over, under, and through the Property Interests.

SECTION 3. The City Council authorizes the City Attorney, or designee, to negotiate for and to acquire the required property rights in the Property Interests for the City, and to acquire these rights in compliance with State and any other applicable law. The City Attorney, or designee, is specifically authorized and directed to do each and every act necessary to acquire the needed property rights in the Property Interests including, but not limited to, the authority to negotiate, give notices, make written offers to purchase, prepare contracts and conveyance documents, to retain and designate a qualified appraiser of the Property Interests to be acquired and any other experts or consultants that he deems necessary for the acquisition process, to retain qualified outside litigation counsel as needed, and, if necessary, to institute and conduct all parts of the proceedings in eminent domain in accordance with the laws and procedures of the State.

SECTION 4. The City Manager, or their designee, is appointed as negotiator for the acquisition of the needed Property Interests and, as such, the City Manager, or their designee, is authorized and directed to do each and every act and deed specified or authorized by this Ordinance, subject to the availability of funds appropriated by the City Council for such purpose. The City Manager, or their designee, is specifically authorized to establish and make offer(s) of just compensation for the acquisition of the Property Interests to the respective landowner(s) in accordance with State and any other applicable law. If an agreement as to damages or compensation cannot be reached, then the City Attorney, or their designee, is authorized and directed to file or cause to be filed, against the subject landowner(s) and interested parties of the Property Interests, proceedings in eminent domain to acquire the Property Interests

SECTION 5. It is the intent of the City Council that this Ordinance authorize the City Manager and City Attorney, or their designee, are authorized to perform all steps necessary to obtain the Property Interests necessary for the Project, whether through negotiation or condemnation, including the expenditure of funds.

SECTION 6. It is the intent of the City Council that this Ordinance authorize the acquisition and condemnation of all property interests required for the construction and installation of the Project for public uses to serve the public and citizens of the City. If it is determined that

there are scrivener errors in the descriptions contained herein or if later surveys contain more accurate revised descriptions, the City Attorney or their designee is authorized to have such errors corrected or revisions made without the necessity of obtaining a new City Council Ordinance authorizing condemnation of the corrected or revised property. The Project is generally located east of Precision Drive on Airport Road all in the City and County of Denton, Texas.

SECTION 7. In the event that Special Commissioners, appointed by the Court during condemnation proceedings, return an award that is the same amount or less than the amount offered by the City for just compensation, the City Attorney is hereby authorized to settle the lawsuit for that amount.

SECTION 8. Following an award by Special Commissioners, the City Finance Director is hereby authorized to issue a check from the appropriate fund in an amount not to exceed the Special Commissioners' award payable to the County Clerk of Denton County to be deposited in the registry of the Court to enable the City to take possession of the respective Property Interest(s) without further action of the City Council.

SECTION 9. If any section, article, paragraph, sentence, phrase, clause, or word in this ordinance, or application thereof to any persons or circumstances, is held invalid or unconstitutional by a court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this ordinance; the City Council declares that it would have ordained such remaining portion despite such invalidity, and such remaining portion shall remain in full force and effect.

SECTION 10. This Ordinance shall become effective immediately upon its passage.

The motion to approve this ordinance was made by Joe Holland and seconded by Jill Jester, the ordinance was passed and approved by the following vote [ 7 - 0 ]:

	Aye	Nay	Abstain	Absent
Gerard Hudspeth, Mayor:	<u>  X  </u>	_____	_____	_____
Vicki Byrd, District 1:	<u>  X  </u>	_____	_____	_____
Brian Beck, District 2:	<u>  X  </u>	_____	_____	_____
Paul Meltzer, District 3:	<u>  X  </u>	_____	_____	_____
Joe Holland, District 4:	<u>  X  </u>	_____	_____	_____
Brandon Chase McGee, At Large Place 5:	<u>  X  </u>	_____	_____	_____
Jill Jester, At Large Place 6:	<u>  X  </u>	_____	_____	_____



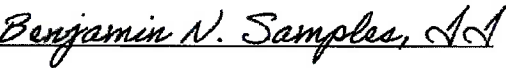
PASSED AND APPROVED this the 17th day of December, 2024.

  
\_\_\_\_\_  
GERARD HUDSPETH, MAYOR

ATTEST:  
LAUREN THODEN, CITY SECRETARY

BY: \_\_\_\_\_

APPROVED AS TO LEGAL FORM:  
MACK REINWAND, CITY ATTORNEY

BY: \_\_\_\_\_



**EXHIBIT "A"**  
**The Property Interests**

<b>Parcel</b>	<b>Property Owner</b>
1	University of North Texas
2	Stevenson Properties Denton, Texas, LLC
3	NM CLFX, LP



**Parcel 1 University of North Texas**

**EXHIBIT "A"**

**SANITARY SEWER EASEMENT**

*University of North Texas Tract*

**BEING** a 0.028 acres (1206 square feet) tract of land situated in the Eugene Puchalski Survey, Abstract No. 996, City of Denton, Denton County, Texas, and being a part of the Better Tools Property per Plat recorded in Volume 5, Page 8 and Cabinet A, Page 118 of the Plat Records of Denton County, Texas, and also being a part of that certain 29.3402 acre tract of land described in a Deed to the University of North Texas, as recorded in Document No. 1994-16178 of the Real Property Records of Denton County, Texas, and being more particularly described as follows:

**COMMENCING** at a 5/8 inch iron rod with cap stamped "TXDOT SURVEY MARKER RIGHT OF WAY MONUMENT" found in the North line of F.M. Highway No. 1515 (Airport Road), a variable width right-of-way, and being the West corner of that certain 0.0359 acre tract of land described as Parcel P00055450 in a Deed to the State of Texas, as recorded in Document No. 2022-115966 of the Official Records of Denton County, Texas, said point also being in the South line of the above cited 29.3402 acre tract, from which the Southeast corner of said Parcel P00055450 and said 29.3402 acre tract bears South 88°59'30" East a distance of 93.69 feet;

**THENCE** in a Northeasterly direction, along the Northerly lines of said F.M. Highway No. 1515 and said Parcel P00055450, and along a non-tangent curve to the right having a central angle of 03°41'39", a radius of 910.00 feet, a chord bearing of North 71°11'09" East, a chord distance of 58.66 feet and an arc length of 58.67 feet to the **POINT OF BEGINNING** for the herein described easement;

**THENCE** North 78°00'10" West departing the Northerly lines of said F.M. Highway No. 1515 and said Parcel P00055450, and along the Northeasterly line of an existing 20' Utilities Easement shown on said Plat of the Better Tools Property, for a distance of 27.74 feet to a point;

**THENCE** North 64°20'28" West continuing along the Northeasterly line of said 20' Utilities Easement, for a distance of 8.69 feet to a point;

**THENCE** North 72°30'56" East departing the Northeasterly line of said 20' Utilities Easement, for a distance of 77.65 feet to a point in the East line of said 29.3402 acres and the West line of that certain 7.0001 acre tract described in a Deed to Stevenson Properties Denton Texas, LLC, as recorded in Document No. 2019-40218 of the Official Records of Denton County, Texas;

**THENCE** in a Southerly direction, along the East line of said 29.3402 acre tract and the West line of said 7.0001 acre tract, and along a non-tangent curve to the left having a central angle of 00°25'36", a radius of 726.20 feet, a chord bearing of South 01°11'13" West, a chord distance of 5.41 feet and an arc length of 5.41 feet to a point for the end of said curve;

**THENCE** South 00°58'25" West continuing along the East line of said 29.3402 acre tract and the West line of said 7.0001 acre tract, for a distance of 16.57 feet to a point in the North line of said F.M. Highway No. 1515, same being the Northeast corner of said Parcel P00055450, from which the Southeast corner of said Parcel P00055450 and said 29.3402 acre tract bears South 00°58'25" West a distance of 31.46 feet;

**THENCE** in a Southwesterly direction, along the North lines of said F.M. Highway No. 1515 and said Parcel P00055450, and along a non-tangent curve to the left having a central angle of 02°31'52", a radius of 910.00 feet, a chord bearing of South 74°17'55" West, a chord distance of 40.20 feet and an arc length of 40.20 feet to the **POINT OF BEGINNING**, and containing 0.028 acres (1206 square feet) of land, more or less.

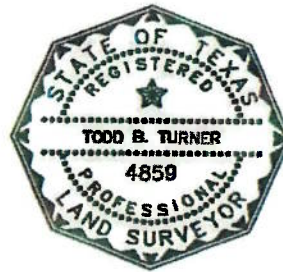
**NOTES:**

1. Bearings are referenced to Grid North of the Texas Coordinate System of 1983 (North Central Zone 4202, NAD83 (2011) EPOCH 2010) as derived locally from RTK Network continuously operating reference stations (CORS) via real time kinematic (RTK) survey methods. The distances shown hereon represent surface values using a surface adjustment factor of 1.000150630 to scale from grid to surface.
2. An Exhibit of even date herewith accompanies this legal description. See Exhibit "B".



---

Todd B. Turner, R.P.L.S. No. 4859  
Teague Nall & Perkins, Inc.  
3200 S. Interstate 35E, Suite 1129  
Denton, Texas 76210  
940-383-4177  
Date: July 1, 2024



**E. PUCHALSKI SURVEY**  
**ABSTRACT NO. 996**

EXISTING 40' PERMANENT CHANNEL  
OR DRAINAGE EASEMENT  
**PARCEL 24E PART 1**  
VOL. 528, PG. 360  
D.R.D.C.T.

**CURVE TABLE**

CURVE	DELTA	RADIUS	CHORD	BEARING	CHORD LENGTH	ARC LENGTH
C1	0°25'36"	726.20'	S 01°11'43" W	5.41'	5.41'	
C2	2°31'52"	910.00'	S 74°17'55" W	40.20'	40.20'	
C3	3°41'39"	910.00'	N 71°11'09" E	58.66'	58.67'	
C4	4°43'11"	910.00'	S 77°55'26" W	74.94'	74.96'	

EXISTING CITY OF DENTON  
20' ALL-PURPOSE UTILITY EASEMENT  
VOL. 1191, PG. 424  
D.R.D.C.T.

**LINE TABLE**

LINE	BEARING	DISTANCE
L1	N 78°00'10" W	27.74'
L2	N 64°20'28" W	8.69'
L3	N 72°30'56" E	77.65'
L4	S 00°58'25" W	16.57'

STEVENSON PROPERTIES  
DENTON TEXAS, LLC  
DOC. NO. 2019-40218  
CALLED 7.0001 ACRES  
O.R.D.C.T.

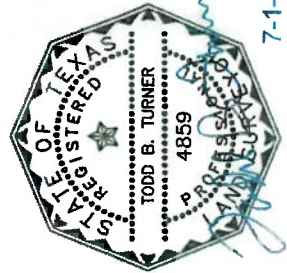
**SANITARY SEWER EASEMENT**  
0.028 ACRES  
(1,206 SQ. FT.)

**BETTER TOOLS PROPERTY**  
VOL. 5, PG. 8 AND  
CAB. A, PG. 118  
P.R.D.C.T.  
**UNIVERSITY OF NORTH TEXAS**  
CALLED 29.3402 ACRES  
DOC. NO. 94-16178  
R.P.R.D.C.T.

STATE OF TEXAS  
CALLED 0.4480 ACRES  
PARCEL P00055451  
DOC. NO. 2023-58419  
O.R.D.C.T.

**F.M. HIGHWAY NO. 1515**  
(VARIABLE WIDTH R.O.W. KNOWN AS AIRPORT ROAD)

- NOTES:**
- Bearings of lines shown hereon are referenced to Grid North of the Texas Coordinate System of 1983 (North Central Zone 4202: NAD83 (2011) Epoch 2010) as derived locally from RTK Network continuously operating reference stations (CORS) via real time kinematic (RTK) survey methods. The distances shown hereon represent surface values using a surface adjustment factor of 1.000150630 to scale from grid to surface.
  - This Exhibit was prepared without the benefit of a current Title Commitment, or Encumbrance Report. Additional easements, rights-of-way and/or other matters of record may affect this tract that are not shown hereon.
  - A Legal Description of even date herewith accompanies this Easement Exhibit. See Exhibit "A".



**teague nail and perkins**  
3200 S. Interstate 35E, Suite 1129  
Denton, Texas 76210  
940.383.4177 / www.tnpsc.com  
TPELS FIRM 10011601

**SANITARY SEWER EASEMENT**  
BEING 0.028 ACRES (1206 SQ. FT.) OF LAND SITUATED  
IN THE E. PUCHALSKI SURVEY, ABSTRACT NO. 996  
CITY OF DENTON, DENTON COUNTY, TEXAS  
DEN24235 PAGE 3 OF 3

**LEGEND**

- ▲ CALCULATED POINT
- 1/2" IRON ROD FOUND (UNLESS NOTED OTHERWISE)
- (CM) CONTROLLING MONUMENT
- RF IRON ROD FOUND
- CRF CHIPPED IRON ROD FOUND
- P.O.B. POINT OF BEGINNING
- P.O.C. POINT OF COMMENCING
- D.R.D.C.T. DEED RECORDS DENTON COUNTY TEXAS
- P.R.D.C.T. PLAT RECORDS DENTON COUNTY TEXAS
- O.R.D.C.T. OFFICIAL RECORDS DENTON COUNTY TEXAS
- R.P.R.D.C.T. REAL PROPERTY RECORDS DENTON COUNTY TEXAS
- EASEMENT BOUNDARY LINE
- PROPERTY LINE
- RIGHT-OF-WAY LINE
- EXISTING EASEMENT LINE

0 15 30 60

SCALE: 1" = 30'

**Parcel 2 Stevenson Properties Denton, Texas, LLC**

**EXHIBIT "A"**

**SANITARY SEWER EASEMENT**

*Stevenson Properties Denton Texas, LLC Tract*

**BEING** a 0.010 acre (453 square feet) tract of land situated in the Eugene Puchalski Survey, Abstract No. 996, City of Denton, Denton County, Texas, and being a part of that certain 7.0001 acre tract of land described in a Deed to the Stevenson Properties Denton Texas, LLC, as recorded in Document No. 2019-40218 of the Official Records of Denton County, Texas, and being more particularly described as follows:

**COMMENCING** at the Southwest corner of that certain 0.4480 acre tract of land described as Parcel P00055451 in a Deed to the State of Texas, as recorded in Document No. 2023-58419 of the Official Records of Denton County, Texas, said point also being the Southwest corner of the above cited 7.0001 acre tract and the Southeast corner of that certain 29.3402 acre tract of land described in a Deed to the University of North Texas, as recorded in Document No. 1994-16178 of the Real Property Records of Denton County, Texas, from which a 5/8 inch iron rod with cap stamped "TXDOT SURVEY MARKER RIGHT OF WAY MONUMENT" found for the West corner of that certain 0.0359 acre tract of land described as Parcel P00055450 in a Deed to the State of Texas, as recorded in Document No. 2022-115966 of the Official Records of Denton County, Texas bears North 88°59'30" West a distance of 93.69 feet and a 5/8 inch iron rod capped "RPLS 1640" found for reference bears South 88°59'30" East a distance of 40.22 feet;

**THENCE** North 00°58'25" East along the East lines of said 29.3402 acre tract and said Parcel P00055450, and the West lines of said 7.0001 acre tract and said Parcel P00055451, for a distance of 31.46 feet to the North line of F.M. Highway No. 1515 (Airport Road), a variable width right-of-way, and being the common North corner of said Parcels P00055450 and P00055451 and the **POINT OF BEGINNING** for the herein described easement;

**THENCE** North 00°58'25" East continuing along the East line of said 29.3402 acre tract and the West line of said 7.0001 acre tract, for a distance of 16.57 feet to a point for the beginning of a curve to the right;

**THENCE** in a Northerly direction, continuing along the East line of said 29.3402 acre tract and the West line of said 7.0001 acre tract, and along said curve to the right having a central angle of 00°25'36", a radius of 726.20 feet, a chord bearing of North 01°11'13" East, a chord distance of 5.41 feet and an arc length of 5.41 feet to a point;

**THENCE** North 72°30'56" East departing the East line of said 29.3402 acre tract and the West line of said 7.0001 acre tract, for a distance of 21.16 feet to the West line of a 20' All Purpose Utility Easement to the City of Denton, as recorded in Volume 1131, Page 424 of the Deed Records of Denton County, Texas;

**THENCE** in a Southerly direction, along the West line of said 20' All Purpose Utility Easement, and along a non-tangent curve to the left having a central angle of 00°59'54", a radius of 706.20 feet, a chord bearing of South 01°27'47" West, a chord distance of 12.31 feet and an arc length of 12.31 feet to a point for the end of said curve;

**THENCE** South 00°41'08" West continuing along the West line of said 20' All Purpose Utility Easement, for a distance of 11.10 feet to a point in the North line of said F.M. Highway No. 1515 and said Parcel P00055451, from which a 5/8 inch iron rod with cap stamped "TXDOT SURVEY MARKER RIGHT OF WAY MONUMENT" found for an angle point in the North line of said Parcel P00055451 bears along a non-tangent curve to the right having a central angle of 03°24'54", a radius of 910.00 feet, a chord bearing of North 78°34'35" East, a chord distance of 54.23 feet and an arc length of 54.24 feet;



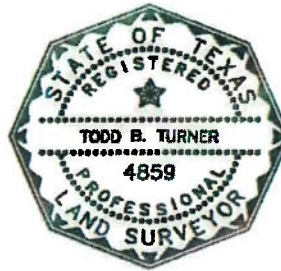
**THENCE** in a Southwesterly direction, along the North line of said F.M. Highway No. 1515 and said Parcel P00055451, and along a non-tangent curve to the left having a central angle of 01°18'17", a radius of 910.00 feet, a chord bearing of South 76°13'00" West, a chord distance of 20.72 feet and an arc length of 20.72 feet to the **POINT OF BEGINNING**, and containing 0.010 acres (453 square feet) of land, more or less.

**NOTES:**

1. Bearings are referenced to Grid North of the Texas Coordinate System of 1983 (North Central Zone 4202, NAD83 (2011) EPOCH 2010) as derived locally from RTK Network continuously operating reference stations (CORS) via real time kinematic (RTK) survey methods. The distances shown hereon represent surface values using a surface adjustment factor of 1.000150630 to scale from grid to surface.
2. An Exhibit of even date herewith accompanies this legal description. See Exhibit "B".



Todd B. Turner, R.P.L.S. No. 4859  
Teague Nall & Perkins, Inc.  
3200 S. Interstate 35E, Suite 1129  
Denton, Texas 76210  
940-383-4177  
Date: July 1, 2024





**E. PUCHALSKI SURVEY  
ABSTRACT NO. 996**

EXISTING 40' PERMANENT CHANNEL  
OR DRAINAGE EASEMENT  
PARCEL 24E PART 1  
VOL. 528, PG. 360  
D.R.D.C.T.

CURVE	DELTA	RADIUS	CHORD	BEARING	CHORD LENGTH	ARC LENGTH
C1	0°25'36"	726.20'	N 01°11'13"	E	5.41'	5.41'
C2	0°59'54"	706.20'	S 01°27'47"	W	12.31'	12.31'
C3	1°18'17"	910.00'	S 76°13'00"	W	20.72'	20.72'
C4	6°13'32"	910.00'	N 72°27'05"	E	98.83'	98.88'
C5	3°24'54"	910.00'	N 78°34'35"	E	54.23'	54.24'

LINE	BEARING	DISTANCE
L1	N 00°58'25"	E 16.57'
L2	N 72°30'56"	E 21.16'
L3	S 00°41'08"	W 11.10'

EXISTING CITY OF DENTON  
20' ALL PURPOSE UTILITY EASEMENT  
VOL. 1131, PG. 424  
D.R.D.C.T.

STEVENSON PROPERTIES  
DENTON TEXAS, LLC  
DOC. NO. 2019-40218  
CALLED 7.0001 ACRES  
O.R.D.C.T.

**SANITARY SEWER  
EASEMENT**  
0.010 ACRES  
(453 SQ. FT.)

STATE OF TEXAS  
CALLED 0.4480 ACRES  
PARCEL P00055451  
DOC. NO. 2023-58419  
O.R.D.C.T.

**F.M. HIGHWAY NO. 1515**  
(VARIABLE WIDTH R.O.W. KNOWN AS AIRPORT ROAD)

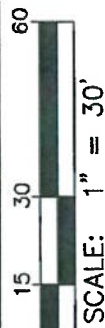
**EXHIBIT "B"**

**SANITARY SEWER EASEMENT**  
BEING 0.010 ACRES (453 SQ. FT.) OF LAND SITUATED  
IN THE E. PUCHALSKI SURVEY, ABSTRACT NO. 996  
CITY OF DENTON, DENTON COUNTY, TEXAS  
DEN24235 PAGE 3 OF 3



7-1-2024

LEGEND	
▲	CALCULATED POINT
●	1/2" IRON ROD FOUND (UNLESS NOTED OTHERWISE)
(CM)	CONTROLLING MONUMENT
IR	IRON ROD FOUND
CR	CAPPED IRON ROD FOUND
P.O.B.	POINT OF BEGINNING
P.O.C.	POINT OF COMMENCING
D.R.D.C.T.	DEED RECORDS DENTON COUNTY TEXAS
P.R.D.C.T.	PLAT RECORDS DENTON COUNTY TEXAS
O.R.D.C.T.	OFFICIAL RECORDS DENTON COUNTY TEXAS
R.P.R.D.C.T.	REAL PROPERTY RECORDS DENTON COUNTY TEXAS
---	EASEMENT BOUNDARY LINE
---	PROPERTY LINE
---	RIGHT-OF-WAY LINE
---	EXISTING EASEMENT LINE



EXISTING 10' ELECTRICAL EASEMENT  
VOL. 5, PG. 8 AND  
CAB. A, PG. 118 - P.R.D.C.T.

BETTER TOOLS PROPERTY  
VOL. 5, PG. 8 AND  
CAB. A, PG. 118  
P.R.D.C.T.

UNIVERSITY OF NORTH TEXAS  
CALLED 29.3402 ACRES  
DOC. NO. 94-16178  
R.P.R.D.C.T.

EXISTING 20' UTILITIES EASEMENT  
VOL. 5, PG. 8 AND  
CAB. A, PG. 118 - P.R.D.C.T.

STATE OF TEXAS  
CALLED 0.0359 ACRES  
PARCEL P00055450  
DOC. NO. 2022-115986  
O.R.D.C.T.

5/8" CIRCF  
"XDOT SURVEY MARKER"  
RIGHT OF WAY MONUMENT (CM)

**NOTES:**

1. Bearings of lines shown hereon are referenced to Grid North of the Texas Coordinate System of 1983 (North Central Zone 4202; NAD83 (2011) Epoch 2010) as derived locally from RTK Network continuously operating reference stations (CORS) via real time kinematic (RTK) survey methods. The distances shown hereon represent surface values using a surface adjustment factor of 1.000150630 to scale from grid to surface.
2. This Exhibit was prepared without the benefit of a current Title Commitment, or Encumbrance Report. Additional easements, rights-of-way and/or other matters of record may affect this tract that are not shown hereon.
3. A Legal Description of even date herewith accompanies this Easement Exhibit. See Exhibit "A".

**teague nail and perkins**  
3200 S. Interstate 35E, Suite 1129  
Denton, Texas 76210  
940.383.4177 / www.inplac.com  
TPELS FIRM 10011601



**Parcel 3 NM CLFX, LP**

**EXHIBIT "A"**

**SANITARY SEWER EASEMENT**

*Part of Lot 1R, Block A, Victor Technologies Addition*

**BEING** a 0.010 acre (418 square feet) tract of land situated in the Eugene Puchalski Survey, Abstract No. 996, City of Denton, Denton County, Texas, and being a part of Lot 1R, Block A per the Replat of Victor Technologies Addition, as recorded in Document No. 2015-295 of the Plat Records of Denton County, Texas, and being more particularly described as follows:

**COMMENCING** at a 5/8 inch iron rod with cap stamped "TXDOT SURVEY MARKER RIGHT OF WAY MONUMENT" found in the West line of the above cited Lot 1R, said point being the Southwest corner of a called 2.1959 acre tract of land described as Parcel P00055449 in a Deed to the State of Texas, as recorded in Document No. 2023-40305 of the Official Records of Denton County, Texas, from which a 5/8 inch iron rod with cap stamped "TNP" found for the Northwest corner of said Lot 1R and the Northwest corner of said Parcel P00055449 bears North 33°33'13" West a distance of 214.24 feet;

**THENCE** North 45°43'19" East departing the West line of said Lot 1R, and along the Southerly line of said Parcel P00055449, for a distance of 137.93 feet to a 5/8 inch iron rod with cap stamped "TXDOT SURVEY MARKER RIGHT OF WAY MONUMENT" found;

**THENCE** North 70°40'47" East continuing along the Southerly line of said Parcel P00055449, for a distance of 91.18 feet to a 5/8 inch iron rod with cap stamped "TXDOT SURVEY MARKER RIGHT OF WAY MONUMENT" found for the beginning of a non-tangent curve to the right;

**THENCE** in a Northeasterly direction, along the Southerly line of said Parcel P00055449, and along said non-tangent curve to the right having a central angle of 05°22'02", a radius of 690.00 feet, a chord bearing of North 61°01'25" East, a chord distance of 64.61 feet and an arc length of 64.64 feet to the **POINT OF BEGINNING** for the herein described easement;

**THENCE** in a Northerly direction, continuing with the Southerly line of said Parcel P00055449, and along said non-tangent curve to the right having a central angle of 01°50'18", a radius of 690.00 feet, a chord bearing of North 64°37'35" East, a chord distance of 22.14 feet and an arc length of 22.14 feet to a point, from which a 5/8 inch iron rod with cap stamped "TXDOT SURVEY MARKER RIGHT OF WAY MONUMENT" found for the end of said curve bears Northeasterly along said non-tangent curve having a central angle of 14°59'39", a radius of 690.00 feet, a chord bearing of North 73°02'34" East, a chord distance of 180.06 feet and an arc length of 180.57 feet;

**THENCE** South 00°01'06" West departing the Southerly line of said Parcel P00055449, for a distance of 6.99 feet to a point in the Westerly line of an existing 20' All Purpose Utility Easement conveyed to the City of Denton per Instrument recorded in Volume 1114, Page 446 of the Deed Records of Denton County, Texas;

**THENCE** South 28°16'26" West along the Westerly line of said 20' All Purpose Utility Easement, for a distance of 42.25 feet to a point;

**THENCE** North 00°01'06" East departing the Westerly line of said 20' All Purpose Utility Easement, for a distance of 34.71 feet to the **POINT OF BEGINNING** and containing 0.010 acres (418 square feet) of land, more or less.

**NOTES:**

1. Bearings are referenced to Grid North of the Texas Coordinate System of 1983 (North Central Zone 4202, NAD83 (2011) EPOCH 2010) as derived locally from RTK Network continuously operating reference stations (CORS) via real time kinematic (RTK) survey methods. The distances shown hereon represent surface values using a surface adjustment factor of 1.000150630 to scale from grid to surface.
2. An Exhibit of even date herewith accompanies this legal description. See Exhibit "B".



Todd B. Turner, R.P.L.S. No. 4859  
Teague Nall & Perkins, Inc.  
3200 S. Interstate 35E, Suite 1129  
Denton, Texas 76210  
940-383-4177  
Date: July 1, 2024





**F.M. HIGHWAY NO. 1515**  
(VARIABLE WIDTH R.O.W. KNOWN AS AIRPORT ROAD)

**CURVE TABLE**

CURVE	DELTA	RADIUS	CHORD	BEARING	CHORD LENGTH	ARC LENGTH
C1	1°50'18"	690.00'	N 64°37'35" E	22.14'	22.14'	
C2	5°22'02"	690.00'	N 61°01'25" E	64.61'	64.61'	
C3	14°59'39"	690.00'	N 73°02'34" E	180.06'	180.57'	

**LINE TABLE**

LINE	BEARING	DISTANCE
L1	S 00°01'06" W	6.99'
L2	S 28°16'26" W	42.25'
L3	N 00°01'06" E	34.71'

5/8" CIRCF  
"TNP"  
(CM)

STATE OF TEXAS  
CALLED 2.1958 ACRES  
PARCEL P00055449  
DOC. NO. 2023-40305  
O.R.D.C.T.

EXISTING CITY OF DENTON  
20' ALL PURPOSE UTILITY EASEMENT  
VOL. 1114, PG. 446  
D.R.D.C.T.

LOT 1R, BLOCK A  
VICTOR TECHNOLOGIES ADDITION  
DOC. NO. 2015-295  
P.R.D.C.T.

EXISTING 60' X 250'  
R.O.W. EASEMENT  
VOL. 393, PG. 73  
D.R.D.C.T.

EXISTING  
VARIABLE WIDTH  
DRAINAGE ESMT.  
DOC. NO. 2016-295  
P.R.D.C.T.

E. PUCHALSKI SURVEY  
ABSTRACT No. 996

N 33°33'13" W 214.24'  
DEED/PLAT LINE

5/8" CIRCF  
"TODOT SURVEY MARKER"  
RIGHT OF WAY MONUMENT"  
(CM)

5/8" CIRCF  
"TODOT SURVEY MARKER"  
RIGHT OF WAY MONUMENT"  
(CM)

**SANITARY SEWER  
EASEMENT**  
(418 SQ. FT.)  
0.0010 ACRES

P.O.C.

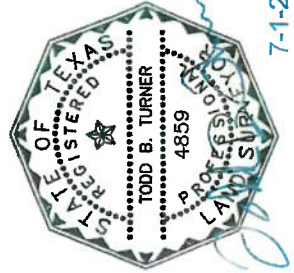
5/8" CIRCF  
"TODOT SURVEY MARKER"  
RIGHT OF WAY MONUMENT"  
(CM)



**NOTES:**

1. Bearings of lines shown hereon are referenced to Grid North of the Texas Coordinate System of 1983 (North Central Zone 4202: NAD83 (2011) Epoch 2010) as derived locally from RTK Network continuously operating reference stations (CORS) via real time kinematic (RTK) survey methods. The distances shown hereon represent surface values using a surface adjustment factor of 1.000150630 to scale from grid to surface.
2. This Exhibit was prepared without the benefit of a current Title Commitment, or Encumbrance Report. Additional easements, rights-of-way and/or other matters of record may affect this tract that are not shown hereon.
3. A Legal Description of even date herewith accompanies this Easement Exhibit. See Exhibit "A".

**teague nail and perkins**  
3200 S. Interstate 35E, Suite 1129  
Denton, Texas 76210  
940.383.4177 / www.tnpinc.com  
TNPELS FRM 10011601



**LEGEND**

▲	CALCULATED POINT
●	1/2" IRON ROD FOUND (UNLESS NOTED OTHERWISE)
(CM)	CONTROLLING MONUMENT
IRF	IRON ROD FOUND
CRF	CAPPED IRON ROD FOUND
P.O.B.	POINT OF BEGINNING
P.O.C.	POINT OF COMMENCING
D.R.D.C.T.	DEED RECORDS DENTON COUNTY TEXAS
P.R.D.C.T.	PLAT RECORDS DENTON COUNTY TEXAS
O.R.D.C.T.	OFFICIAL RECORDS DENTON COUNTY TEXAS
R.P.R.D.C.T.	REAL PROPERTY RECORDS DENTON COUNTY TEXAS
---	EASEMENT BOUNDARY LINE
---	PROPERTY LINE
---	RIGHT-OF-WAY LINE
---	EXISTING EASEMENT LINE

**EXHIBIT "B"**

**SANITARY SEWER EASEMENT**  
BEING 0.010 ACRES (418 SQ. FT.) OF LAND SITUATED  
IN THE E. PUCHALSKI SURVEY, ABSTRACT NO. 996  
CITY OF DENTON, DENTON COUNTY, TEXAS  
DEN24235  
PAGE 3 OF 3



# City of Denton FM 1515/Airport Rd. Utilities Relocation

Angel DeLory  
Senior Real Estate Specialist - Real Estate

Agenda Item ID 24-2189

IMPROVING  
DENTON



IMPROVING  
DENTON

# BACKGROUND

TxDOT's project to widen FM 1515 (Airport Road) just East of Precision Drive necessitates the relocation of existing City water and wastewater infrastructure from their current locations into new easements. This relocation project requires the purchase of new easements to accommodate the construction, installation, operation, and maintenance of the City's relocated infrastructure.



# LOCATION

Move City  
water &  
wastewater  
easements  
out of TxDOT  
Right of Way



# PROJECT SCHEDULE

- Public Utilities Board: Next Available Date
- Council: Dec 2024
- Construction Completion:
  - Q2 2025 (Construction Start)
  - Q1 2025 (Construction Complete)

\*Dates are weather dependent



# Property Interests

Exhibit "A" attachment to ordinance

1 of 7

"Property Interests"

Affected Property Ownership Roster

LANDOWNER	ADDRESS	DCAD PARCEL NO.	PROPERTY INTERESTS TO BE ACQUIRED
STEVENSON PROPERTIES DENTON, TEXAS LLC	2840 Roe Lane Kansas City, KS 66103-1543	766102	SANITARY SEWER EASEMENT
NM CLFX LP	C/O New Mountain Net Lease Acquisition Corporation 2800 Airport Rd. Denton, TX 76207	668373	SANITARY SEWER EASEMENT
UNIVERSITY OF NORTH TEXAS	C/O UNT System Attn: Teresa Rogers, AICP, Associate Director of Real Estate 1901 Main Street Dallas, TX 75201	36715	SANITARY SEWER EASEMENT

# Stevenson Properties Denton Texas, LLC

## EXHIBIT "A"

### SANITARY SEWER EASEMENT Stevenson Properties Denton Texas, LLC Tract

**BEING** a 0.010 acre (453 square feet) tract of land situated in the Eugene Puchalski Survey, Abstract No. 996, City of Denton, Denton County, Texas, and being a part of that certain 7.0001 acre tract of land described in a Deed to the Stevenson Properties Denton Texas, LLC, as recorded in Document No. 2019-40218 of the Official Records of Denton County, Texas, and being more particularly described as follows:

**COMMENCING** at the Southwest corner of that certain 0.4480 acre tract of land described as Parcel P00055451 in a Deed to the State of Texas, as recorded in Document No. 2023-58419 of the Official Records of Denton County, Texas, said point also being the Southwest corner of the above cited 7.0001 acre tract and the Southeast corner of that certain 29.3402 acre tract of land described in a Deed to the University of North Texas, as recorded in Document No. 1994-16178 of the Real Property Records of Denton County, Texas, from which a 5/8 inch iron rod with cap stamped "TXDOT SURVEY MARKER RIGHT OF WAY MONUMENT" found for the West corner of that certain 0.0359 acre tract of land described as Parcel P00055450 in a Deed to the State of Texas, as recorded in Document No. 2022-115966 of the Official Records of Denton County, Texas bears North 88°59'30" West a distance of 93.69 feet and a 5/8 inch iron rod capped "RPLS 1640" found for reference bears South 88°59'30" East a distance of 40.22 feet;

**THENCE** North 00°58'25" East along the East lines of said 29.3402 acre tract and said Parcel P00055450, and the West lines of said 7.0001 acre tract and said Parcel P00055451, for a distance of 31.46 feet to the North line of F.M. Highway No. 1515 (Airport Road), a variable width right-of-way, and being the common North corner of said Parcels P00055450 and P00055451 and the **POINT OF BEGINNING** for the herein described easement;

**THENCE** North 00°58'25" East continuing along the East line of said 29.3402 acre tract and the West line of said 7.0001 acre tract, for a distance of 16.57 feet to a point for the beginning of a curve to the right;

**THENCE** in a Northerly direction, continuing along the East line of said 29.3402 acre tract and the West line of said 7.0001 acre tract, and along said curve to the right having a central angle of 00°25'36", a radius of 726.20 feet, a chord bearing of North 01°11'13" East, a chord distance of 5.41 feet and an arc length of 5.41 feet to a point;

**THENCE** North 72°30'56" East departing the East line of said 29.3402 acre tract and the West line of said 7.0001 acre tract, for a distance of 21.16 feet to the West line of a 20' All Purpose Utility Easement to the City of Denton, as recorded in Volume 1131, Page 424 of the Deed Records of Denton County, Texas;

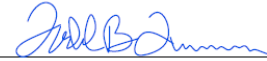
**THENCE** in a Southerly direction, along the West line of said 20' All Purpose Utility Easement, and along a non-tangent curve to the left having a central angle of 00°59'54", a radius of 706.20 feet, a chord bearing of South 01°27'47" West, a chord distance of 12.31 feet and an arc length of 12.31 feet to a point for the end of said curve;

**THENCE** South 00°41'08" West continuing along the West line of said 20' All Purpose Utility Easement, for a distance of 11.10 feet to a point in the North line of said F.M. Highway No. 1515 and said Parcel P00055451, from which a 5/8 inch iron rod with cap stamped "TXDOT SURVEY MARKER RIGHT OF WAY MONUMENT" found for an angle point in the North line of said Parcel P00055451 bears along a non-tangent curve to the right having a central angle of 03°24'54", a radius of 910.00 feet, a chord bearing of North 78°34'35" East, a chord distance of 54.23 feet and an arc length of 54.24 feet;

**THENCE** in a Southwesterly direction, along the North line of said F.M. Highway No. 1515 and said Parcel P00055451, and along a non-tangent curve to the left having a central angle of 01°18'17", a radius of 910.00 feet, a chord bearing of South 76°13'00" West, a chord distance of 20.72 feet and an arc length of 20.72 feet to the **POINT OF BEGINNING**, and containing 0.010 acres (453 square feet) of land, more or less.

#### NOTES:

1. Bearings are referenced to Grid North of the Texas Coordinate System of 1983 (North Central Zone 4202, NAD83 (2011) EPOCH 2010) as derived locally from RTK Network continuously operating reference stations (CORS) via real time kinematic (RTK) survey methods. The distances shown hereon represent surface values using a surface adjustment factor of 1.000150630 to scale from grid to surface.
2. An Exhibit of even date herewith accompanies this legal description. See Exhibit "B".

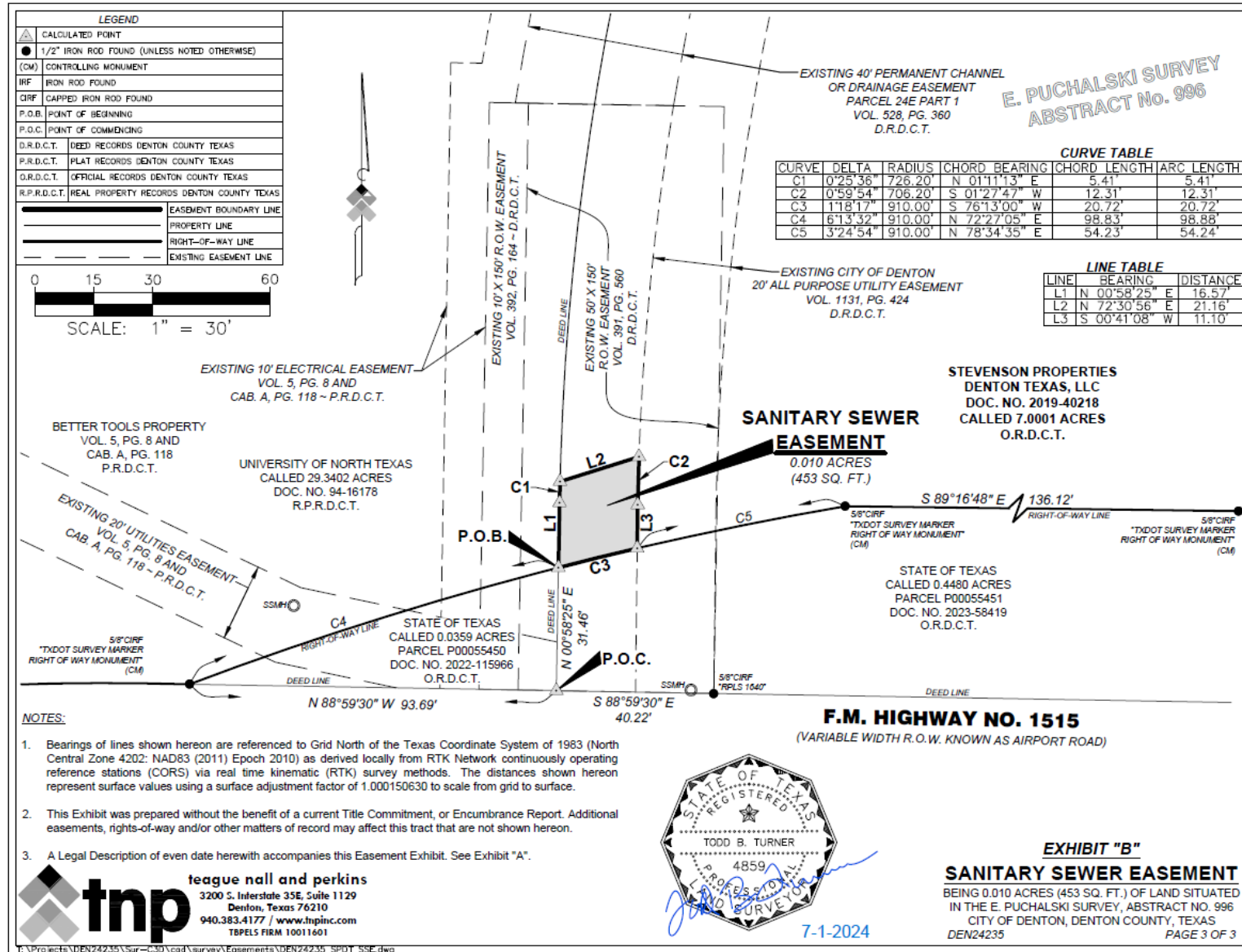


Todd B. Turner, R.P.L.S. No. 4859  
Teague Nall & Perkins, Inc.  
3200 S. Interstate 35E, Suite 1129  
Denton, Texas 76210  
940-383-4177  
Date: July 1, 2024





# Stevenson Properties Denton Texas, LLC



**EXHIBIT "A"**

**SANITARY SEWER EASEMENT**

Part of Lot 1R, Block A, Victor Technologies Addition

**BEING** a 0.010 acre (418 square feet) tract of land situated in the Eugene Puchalski Survey, Abstract No. 996, City of Denton, Denton County, Texas, and being a part of Lot 1R, Block A per the Replat of Victor Technologies Addition, as recorded in Document No. 2015-295 of the Plat Records of Denton County, Texas, and being more particularly described as follows:

**COMMENCING** at a 5/8 inch iron rod with cap stamped "TXDOT SURVEY MARKER RIGHT OF WAY MONUMENT" found in the West line of the above cited Lot 1R, said point being the Southwest corner of a called 2.1959 acre tract of land described as Parcel P00055449 in a Deed to the State of Texas, as recorded in Document No. 2023-40305 of the Official Records of Denton County, Texas, from which a 5/8 inch iron rod with cap stamped "TNP" found for the Northwest corner of said Lot 1R and the Northwest corner of said Parcel P00055449 bears North 33°33'13" West a distance of 214.24 feet;

**THENCE** North 45°43'19" East departing the West line of said Lot 1R, and along the Southerly line of said Parcel P00055449, for a distance of 137.93 feet to a 5/8 inch iron rod with cap stamped "TXDOT SURVEY MARKER RIGHT OF WAY MONUMENT" found;

**THENCE** North 70°40'47" East continuing along the Southerly line of said Parcel P00055449, for a distance of 91.18 feet to a 5/8 inch iron rod with cap stamped "TXDOT SURVEY MARKER RIGHT OF WAY MONUMENT" found for the beginning of a non-tangent curve to the right;

**THENCE** in a Northeasterly direction, along the Southerly line of said Parcel P00055449, and along said non-tangent curve to the right having a central angle of 05°22'02", a radius of 690.00 feet, a chord bearing of North 61°01'25" East, a chord distance of 64.61 feet and an arc length of 64.64 feet to the **POINT OF BEGINNING** for the herein described easement;

**THENCE** in a Northerly direction, continuing with the Southerly line of said Parcel P00055449, and along said non-tangent curve to the right having a central angle of 01°50'18", a radius of 690.00 feet, a chord bearing of North 64°37'35" East, a chord distance of 22.14 feet and an arc length of 22.14 feet to a point, from which a 5/8 inch iron rod with cap stamped "TXDOT SURVEY MARKER RIGHT OF WAY MONUMENT" found for the end of said curve bears Northeasterly along said non-tangent curve having a central angle of 14°59'39", a radius of 690.00 feet, a chord bearing of North 73°02'34" East, a chord distance of 180.06 feet and an arc length of 180.57 feet;

**THENCE** South 00°01'06" West departing the Southerly line of said Parcel P00055449, for a distance of 6.99 feet to a point in the Westerly line of an existing 20' All Purpose Utility Easement conveyed to the City of Denton per Instrument recorded in Volume 1114, Page 446 of the Deed Records of Denton County, Texas;

**THENCE** South 28°16'26" West along the Westerly line of said 20' All Purpose Utility Easement, for a distance of 42.25 feet to a point;

**THENCE** North 00°01'06" East departing the Westerly line of said 20' All Purpose Utility Easement, for a distance of 34.71 feet to the **POINT OF BEGINNING** and containing 0.010 acres (418 square feet) of land, more or less.

**NOTES:**

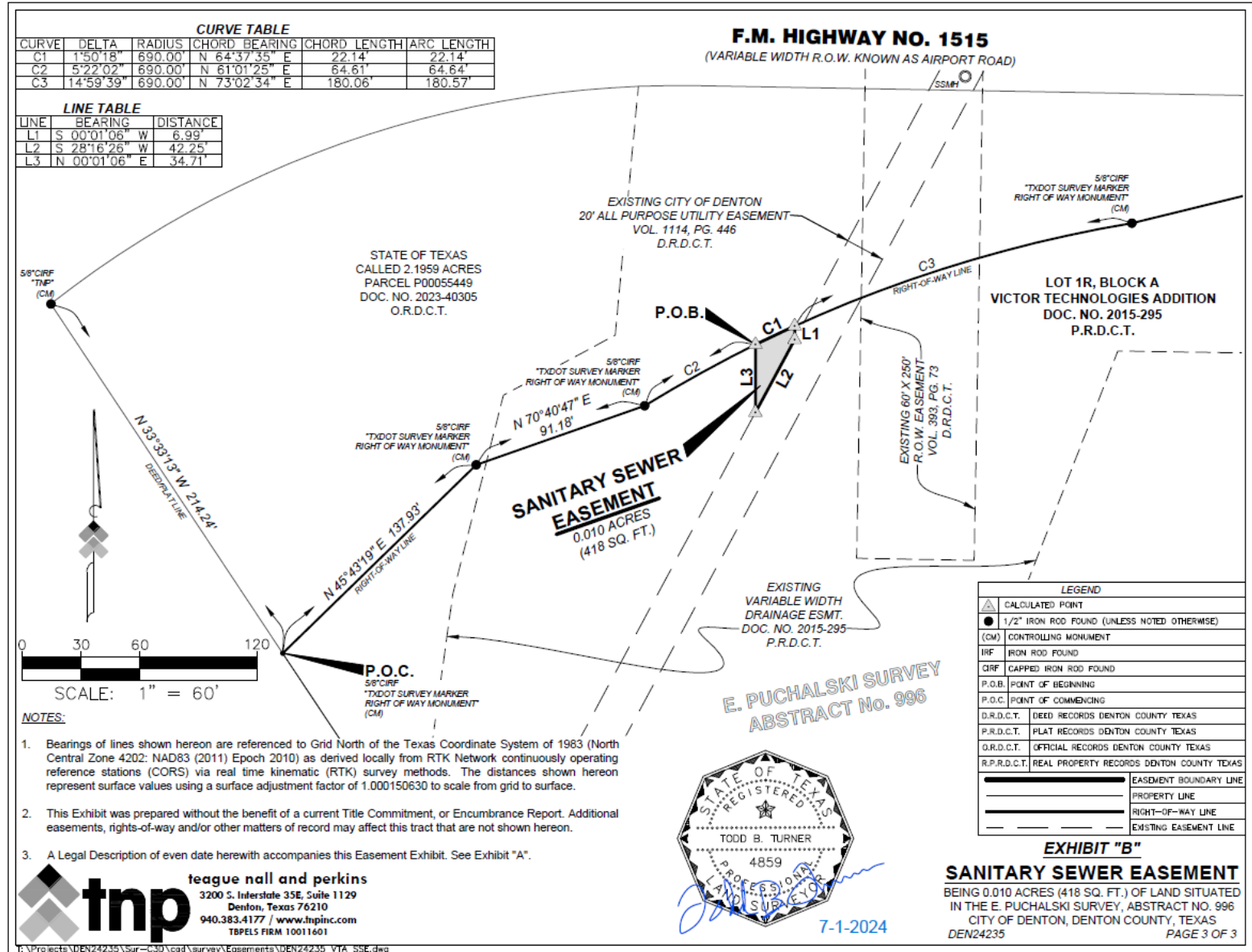
1. Bearings are referenced to Grid North of the Texas Coordinate System of 1983 (North Central Zone 4202, NAD83 (2011) EPOCH 2010) as derived locally from RTK Network continuously operating reference stations (CORS) via real time kinematic (RTK) survey methods. The distances shown hereon represent surface values using a surface adjustment factor of 1.000150630 to scale from grid to surface.
2. An Exhibit of even date herewith accompanies this legal description. See Exhibit "B".



Todd B. Turner, R.P.L.S. No. 4859  
Teague Nall & Perkins, Inc.  
3200 S. Interstate 35E, Suite 1129  
Denton, Texas 76210  
940-383-4177  
Date: July 1, 2024



# NM CLFX, LP Victor Technologies



**teague nall and perkins**  
3200 S. Interstate 35E, Suite 1129  
Denton, Texas 76210  
940.383.4177 / www.tnppc.com  
TDFELS FIRM 10011601





## EXHIBIT "A"

### SANITARY SEWER EASEMENT

University of North Texas Tract

**BEING** a 0.028 acres (1206 square feet) tract of land situated in the Eugene Puchalski Survey, Abstract No. 996, City of Denton, Denton County, Texas, and being a part of the Better Tools Property per Plat recorded in Volume 5, Page 8 and Cabinet A, Page 118 of the Plat Records of Denton County, Texas, and also being a part of that certain 29.3402 acre tract of land described in a Deed to the University of North Texas, as recorded in Document No. 1994-16178 of the Real Property Records of Denton County, Texas, and being more particularly described as follows:

**COMMENCING** at a 5/8 inch iron rod with cap stamped "TXDOT SURVEY MARKER RIGHT OF WAY MONUMENT" found in the North line of F.M. Highway No. 1515 (Airport Road), a variable width right-of-way, and being the West corner of that certain 0.0359 acre tract of land described as Parcel P00055450 in a Deed to the State of Texas, as recorded in Document No. 2022-115966 of the Official Records of Denton County, Texas, said point also being in the South line of the above cited 29.3402 acre tract, from which the Southeast corner of said Parcel P00055450 and said 29.3402 acre tract bears South 88°59'30" East a distance of 93.69 feet;

**THENCE** in a Northeasterly direction, along the Northerly lines of said F.M. Highway No. 1515 and said Parcel P00055450, and along a non-tangent curve to the right having a central angle of 03°41'39", a radius of 910.00 feet, a chord bearing of North 71°11'09" East, a chord distance of 58.66 feet and an arc length of 58.67 feet to the **POINT OF BEGINNING** for the herein described easement;

**THENCE** North 78°00'10" West departing the Northerly lines of said F.M. Highway No. 1515 and said Parcel P00055450, and along the Northeasterly line of an existing 20' Utilities Easement shown on said Plat of the Better Tools Property, for a distance of 27.74 feet to a point;

**THENCE** North 64°20'28" West continuing along the Northeasterly line of said 20' Utilities Easement, for a distance of 8.69 feet to a point;

**THENCE** North 72°30'56" East departing the Northeasterly line of said 20' Utilities Easement, for a distance of 77.65 feet to a point in the East line of said 29.3402 acres and the West line of that certain 7.0001 acre tract described in a Deed to Stevenson Properties Denton Texas, LLC, as recorded in Document No. 2019-40218 of the Official Records of Denton County, Texas;

**THENCE** in a Southerly direction, along the East line of said 29.3402 acre tract and the West line of said 7.0001 acre tract, and along a non-tangent curve to the left having a central angle of 00°25'36", a radius of 726.20 feet, a chord bearing of South 01°11'13" West, a chord distance of 5.41 feet and an arc length of 5.41 feet to a point for the end of said curve;

**THENCE** South 00°58'25" West continuing along the East line of said 29.3402 acre tract and the West line of said 7.0001 acre tract, for a distance of 16.37 feet to a point in the North line of said F.M. Highway No. 1515, same being the Northeast corner of said Parcel P00055450, from which the Southeast corner of said Parcel P00055450 and said 29.3402 acre tract bears South 00°58'25" West a distance of 31.46 feet;

**THENCE** in a Southwesterly direction, along the North lines of said F.M. Highway No. 1515 and said Parcel P00055450, and along a non-tangent curve to the left having a central angle of 02°31'52", a radius of 910.00 feet, a chord bearing of South 74°17'55" West, a chord distance of 40.20 feet and an arc length of 40.20 feet to the **POINT OF BEGINNING**, and containing 0.028 acres (1206 square feet) of land, more or less.

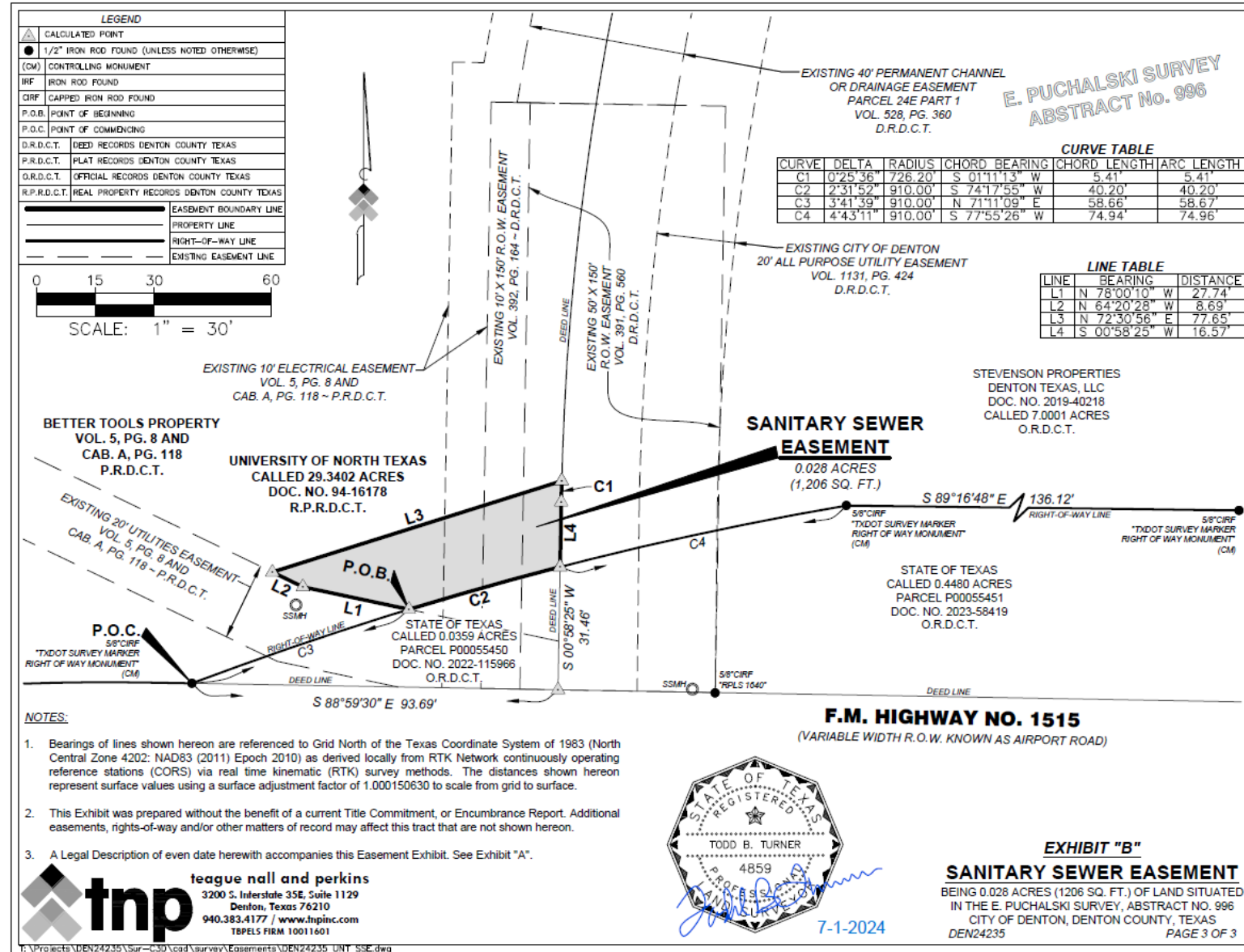
#### NOTES:

1. Bearings are referenced to Grid North of the Texas Coordinate System of 1983 (North Central Zone 4202, NAD83 (2011) EPOCH 2010) as derived locally from RTK Network continuously operating reference stations (CORS) via real time kinematic (RTK) survey methods. The distances shown hereon represent surface values using a surface adjustment factor of 1.000150630 to scale from grid to surface.
2. An Exhibit of even date herewith accompanies this legal description. See Exhibit "B".



Todd B. Turner, R.P.L.S. No. 4859  
Teague Nall & Perkins, Inc.  
3200 S. Interstate 35E, Suite 1129  
Denton, Texas 76210  
940-383-4177  
Date: July 1, 2024





# STAFF RECOMMENDATION

Consider the adoption of an ordinance that establishes authority to negotiate the acquisition of the easements using eminent domain if necessary.

# Questions?