



Dentex Tract

Exhibit 7 – Hardship Letter

EXHIBIT 7

November 7, 2024

Colleen Fitzpatrick, MLA, LI
City of Denton – Parks and Recreation Department
901-B Texas Street
Denton, Texas 76209

**Re: *Dentex Land, Cattle, and Energy Tract – Sewer Easement Dedication due to Hardship
Denton, Texas***

Dear Ms. Fitzpatrick,

Please find the attached letter regarding our request for an easement through the city’s Park Land dedicated as part of the SageBrook Development.

The Dentex Land, Cattle, and Energy Tract naturally drains through the city’s park land. Sanitary Sewer systems typically follow the topography of the land necessitating the need for a sewer easement through the park property to construct a gravity sewer system. Without the dedication of the easement, a hardship is created for the Dentex Land, Cattle, and Energy Tract.

The only alternative for sewer would be to install a sanitary sewer lift station and force main to pressurize the sewer up to Allred Road and around adjacent properties to connect to the existing gravity main. This would require running a sewer force main within existing public right-of-way where there would be conflicts with existing improvements. A lift station, force main and additional gravity sewer would require significantly more resources to operate and maintain. This would also create a hardship on the city as the CCN holder and ultimate owner and operator for sewer system. In conversations with the city, their desire is for gravity systems that require less operation, maintenance, and time from city personnel.

The properties surrounding the city park land are privately owned. The applicant has reached out to the Sagebrook developer and is in the process of acquiring an easement in the location of the future Brush Creek Road. The applicant reached out to the other adjacent property owner and has provided correspondence stating they are not interested in providing a sanitary sewer easement and have concerns about how it could interrupt their cattle operations. Due to this response, an easement is still needed through the northern portion of the park land.

Given that the park land has not been developed/improved, and is adjacent to a future primary arterial, this is the practical solution for sewer service to the Dentex Land, Cattle, and Energy Tract and surrounding properties. What is proposed is a regional solution for this sewer-shed versus a solution for a single project.

No tree removal is proposed within the park land. There are only a few trees along the proposed alignment. If the sanitary sewer line cannot be constructed by open cut without damaging the trees, then a section will be installed via bore so that the trees remain undisturbed.

We look forward to working with the City of Denton and the Parks Department on this project. Please contact me at (972) 731-2186 or thomas.fletcher@kimley-horn.com should you have any questions or need any additional information.

Sincerely,

Thomas L. Fletcher, P.E.
Senior Vice President